



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:40 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ATTENDANCE:

PRESENT: CHAIRMAN CRAIG GALATI, VICE CHAIRMAN RICHARD TRUESDELL, MEMBERS BYRON GOYNES, LAURA McSWAIN, AND STEPHEN QUINN

EXCUSED: MEMBERS TODD NIGRO AND STEVEN EVANS

STAFF PRESENT: CHRIS KNIGHT - PLANNING & DEVELOPMENT DEPT., MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE - PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD - PLANNING & DEVELOPMENT DEPT., BART ANDERSON - PUBLIC WORKS, YONGYAO LOU - PUBLIC WORKS, BRYAN SCOTT - CITY ATTORNEY'S OFFICE, ANGELA CROLLI - CITY CLERK'S OFFICE, LINDA OWENS - CITY CLERK'S OFFICE

MINUTES:

CHAIRMAN GALATI called the Briefing to order at 5:40 P.M.

Items 12, 13, 14, 15, 16, 17, 22, 23, 24, 25, 32, 38, 39 and 43:

DAVID CLAPSADDLE, Planning and Development, said these items are either being requested to be withdrawn or held in abeyance.

Items 2, 3, 18, 19, 20, 21, 29, 35, 42, 45 and 51:

MR. CLAPSADDLE stated there have been changes to the site plans for these items. Therefore, some changes to the conditions will have to be made, which will be addressed at the regular meeting.

Items 4, 5, 6, 7, 8, 9, 10, and 11:

MR. CLAPSADDLE noted that Items 4 through 9 were held in abeyance two weeks ago to allow time for the applicant to decide if they want to pursue a planned development. The applicant has decided not to pursue a planned development and wants to proceed with those applications as submitted. Items 10 and 11 were also held in abeyance at the last meeting. Staff received conditions for those items that were the result of a neighborhood meeting.

BRIEFING ADJOURNED AT 5:42 P.M.



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.KCLV.TV. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 AM.

PLEDGE OF ALLEGIANCE was led by VICE CHAIRMAN TRUESDELL.

CALL TO ORDER: 6:04 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN CRAIG GALATI, VICE CHAIRMAN RICHARD TRUESDELL, MEMBERS STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN, AND STEPHEN QUINN (Excused 12:05 a.m.)

EXCUSED: MEMBER TODD NIGRO

STAFF PRESENT: CHRIS KNIGHT - PLANNING & DEVELOPMENT DEPT., MARGO WHEELER - PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., BART ANDERSON – PUBLIC WORKS, YONGYAO LOU - PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY’S OFFICE, ANGELA CROLLI – CITY CLERK’S OFFICE, LINDA OWENS – CITY CLERK’S OFFICE

COMMISSIONER QUINN introduced his son, who sat with the Commissioners.

CHAIRMAN GALATI noted that at Neonopolis on the third floor of the gallery from 11/16/2002 through 1/11/2003 the American Institute of Architects has the “Las Vegas Committee On The Environment”. They have a show called “Ten Shades of Green,” which is a national show. It is an exhibit on architecture and art that has environmental responsibilities. COMMISSIONER TRUESDELL commented on what an outstanding show it is.

(6:04)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

SUBJECT:

Approval of the minutes of the November 7, 2002 Planning Commission Meeting

MOTION:

TRUESDELL - APPROVED – UNANIMOUS with NIGRO excused

MINUTES:

There was no discussion.

(6:04)

1-40



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

CHAIRMAN GALATI announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN GALATI read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

CHAIRMAN GALATI noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-1163 - CHEYENNE RIDGE ESTATES - ROSE GRAVANTE ON BEHALF OF RL HOMES, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A 34-lot SINGLE FAMILY RESIDENTIAL SUBDIVISION on 5.0 acres adjacent to the south side of Gilmore Avenue, approximately 950 feet east of Grand Canyon Drive (APN: 138-07-601-003), U (Undeveloped) Zone [ML (Medium Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD 7 (Residential Planned Development - 7 Units per Acre), Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL - APPROVED subject to conditions – UNANIMOUS with NIGRO excused

This is final action.

MINUTES:

CHAIRMAN GALATI stated this is a Consent item.

(6:25 – 6:26)

1-700

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 1 – TMP-1163

CONDITIONS:

Planning and Development

A) Project Conditions:

1. All development shall conform to the Conditions of Approval for Site Development Plan Review [SDR-1022] and the Centennial Hills Sector Plan Development Standards.

B) Standard Conditions:

2. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

C) Project Conditions:

6. Site development to comply with all applicable conditions of approval for Z-0076-02 and all other subsequent site-related actions.

D) Standard Conditions:

7. A Master Streetlight Plan of public street lights for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002

Planning & Development Department

Item 1 – TMP-1163

CONDITIONS – Continued:

8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-1184 - CONCORDIA @ DEER SPRINGS III - CONCORDIA HOMES NEVADA INC. - Request for a Tentative Map for a 138-lot single-family residential development on 20.31 acres adjacent to the northeast corner of Bath Road and Fort Apache Road, (APN: 125-20-301-001,002,003,004 and 005), U (Undeveloped) Zone [ML-TC (Medium-Low Density Residential –Town Center) General Plan Designation] under Resolution of Intent to TC (Town Center), Ward 6 Mack.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL - APPROVED subject to conditions with Condition 4 deleted - UNANIMOUS

This is final action.

MINUTES:

CHAIRMAN GALATI stated this is a Consent item.

DAVID CLAPSADDLE, Planning and Development, said Condition 2 indicates the retaining wall shall be reduced to a maximum height of six feet. Condition 4 should be deleted as it is not necessary.

JEFFREY ARMSTRONG, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant. He concurred with staff's conditions.

There was no further discussion.

(6:25 – 6:28)

1-720

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 2 – TMP-1184

CONDITIONS:

Planning and Development

A) Project Conditions:

None

B) Standard Conditions:

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. The retaining wall shall be reduced to a maximum height of six feet.
3. All development shall conform to the Conditions of Approval for Site Development Plan Review [Z-0075-02(1)] and the Town Center Development Standards.
4. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting shall be approved by the Planning and Development Department and Public Works Department staff.
5. Street names must be provided in accord with the City's Street Naming Regulations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.
7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

C) Project Conditions:

8. Construct a median island in Fort Apache Road, east of the centerline, concurrent with development of this site.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 2 – TMP-1184

CONDITIONS – Continued:

9. Site development to comply with all applicable conditions of approval for Z-0075-02 and all other subsequent site-related actions.
10. A Master Streetlight Plan of public street lights for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.
11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-1198 - MAYFIELD - KB HOME NEVADA, INCORPORATED - Request for a Tentative Map for a 398-lot single family residential development on 83.32 acres adjacent to the southeast corner of Craig Road and Pioneer Way (APN: 138-03-303-003 and a portion of 138-03-402-003), U (Undeveloped) Zone [ML (Medium-Low Density Residential) and L (Low Density Residential) General Plan Designations] under Resolution of Intent to R-PD5 (Residential Planned Development – 5 Units per Acre) and R-PD8 (Residential Planned Development – 8 Units per Acre), Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions with an additional Condition 1 under Planning and Development, Project Conditions, to read: *Daily Double Avenue and Lots 159 and 160 shall be deleted from the Tentative Map* and Conditions 3, 8 and 9 deleted – **UNANIMOUS** with GALATI and McSWAIN abstaining as KB Home Nevada, Incorporated is a client of their firms and NIGRO excused

This is final action.

MINUTES:

CHAIRMAN GALATI stated this is a Consent item.

DAVID CLAPSADDLE, Planning and Development, requested a condition under the Planning and Development, Project Conditions, to read: *Daily Double Avenue and Lots 159 and 160 shall be deleted from the Tentative Map*. In addition, he requested Conditions 3, 8 and 9 be deleted.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 3 – TMP-1198

MINUTES – Continued:

RUSSELL SKUSE, Tetra Tech, Inc., 401 North Buffalo Drive, #100, appeared on behalf of KB Home Nevada, Incorporated. He concurred with staff's conditions.

There was no further discussion.

(6:28 – 6:29)
1-780

CONDITIONS:

Planning and Development

A) Project Conditions:

None

B) Standard Conditions:

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review [Z-0061-02 (1)].
3. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting shall be approved by the Planning and Development Department and Public Works Department staff.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 3 – TMP-1198

CONDITIONS – Continued:

Public Works

C) Project Conditions:

7. Contact the Special Improvements Districts Office of the Department of Public Works to sign a Covenant for Apportionment of Assessment for “SID 1470 - Craig Road” prior to issuance of any permits.
8. Construct half-street improvements on Tenaya Way, Craig Road, and Pioneer Way adjacent to this site concurrent with development of this site. Also, construct widened paving on Tenaya Way and Pioneer Way from the north edge of this site northward to tie into the existing improvements on Craig Road; temporary paving may be used for the required widened paving. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. This condition shall supercede all previous construction requirements.
9. Meet with the Clark County School District to provide pedestrian access easements, if necessary, at a mutually acceptable location prior to the submittal of any Final Maps for this site.
10. The Final Map for this subdivision must show appropriate public street dedications in accordance with Standard Drawings #201.1 and #245.1 for dedicated right turn lanes and dual left turn lanes, and Standard Drawings #234.1, #234.2 and #234.3 for bus turnouts.
11. Site development to comply with all applicable conditions of approval for Z-0076-01, Z-0076-01(1) and all subsequent site related actions.
12. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

D) Standard Conditions:

None

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - GPA-0033-02 - APACHE CHEYENNE, LIMITED LIABILITY COMPANY - Request to amend a portion of the Centennial Hills Sector Plan FROM: ML (Medium-Low Density Residential) TO: SC (Service Commercial) on 5.0 acres adjacent to the northwest corner of Cheyenne Avenue and Grand Canyon Drive (APN: 138-07-401-008), Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

93

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL of SC, APPROVAL of O

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions with application amended to SC (Service Commercial) on the mini-storage development and O (Office) on the office piece – **UNANIMOUS** with NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated Item 4 [GPA-0033-02], Item 5 [Z-0079-02], Item 6 [SDR-1020], Item 7 [SUP-1105], Item 8 [VAR-1106] and Item 9 [SUP-1107] were held in abeyance from the last meeting in order to pursue the idea of a planned development. The applicant has since decided they do not want to pursue a planned development and would like the applications to be heard as submitted. Staff would like this application amended to O (Office) as a land use category and O (Office) zoning district for the entire site. Staff is trying to encourage all new office uses to go into Town Center. Cheyenne Avenue is the only feeder street and offices would have less traffic impacts. The more intense uses in C-1 (Limited Commercial) would not be compatible with the properties to the south or east of this site.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 4 – GPA-0033-02

MINUTES – Continued:

JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared in order to represent the applicant. She pointed out on the monitor that to the north is property owned by the Las Vegas Valley Water District. To the east are condominiums. To the south are some single-family homes. To the west is a Metro Training facility. The east half would be for an office component. There will be landscaping along Grand Canyon Drive and Cheyenne Avenue. This will be a two-story building. On the west portion of the site would be a mini-storage facility. It would be surrounded by a 12-foot high decorative block wall with 20 feet of landscaping along Cheyenne Avenue. There will be one and two story storage units. The one story has a maximum height of 10 feet, which is less than the 12 foot high block wall, and the two-story component has a maximum height of 22 feet.

JOHN FRAY, 3421 Conan Street, appeared in protest. He had presented a petition to staff with signatures in protest. This would significantly impact the traffic on Grand Canyon Drive. The parking and security lights would destroy the residential tranquility. Storage of recreational vehicles and boats would invite an undesirable element. This would decrease the residential property values. There is adequate office space available in the area. He objected to reducing the setbacks and landscaping.

LOUIS WODRIDGE, Sun City, 3105 Haddon Drive, appeared in protest. His community also submitted a petition in opposition. There is an excess of office space in the city. In addition, there is storage space available.

GREG BORGEL, 300 South 4th Street, appeared on behalf of the applicant. He pointed out that medians make traffic flow safer with less improper turns. Mini-warehouses generate the least amount of traffic of any type of development.

MS. LAZOVICH added that there will be an on-site manager's apartment providing 24-hour security at the mini-storage facility. They are not reducing the landscaping along Cheyenne Avenue and Grand Canyon Drive. They are only requesting a reduction of landscaping along the northern portion of the property where this site backs up to the Las Vegas Valley Water District property. This entire proposal is a low intense use for this property.

COMMISSIONER McSWAIN wondered if there should be another category rather than this use be placed in a C-1 (Limited Commercial) zone.

CHAIRMAN GALATI asked staff to look into a Text Amendment that would allow mini-storage in the N-S (Neighborhood Services) zone.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 4 – GPA-0033-02

MINUTES – Continued:

MR. CLAPSADDLE asked if staff should also look into the R-V and boat storage uses to be included in the Text Amendment. CHAIRMAN GALATI agreed that R-V and boat storage could also be included in the Text Amendment. The City Council would still have discretion to determine whether it would be appropriate on a certain piece of property.

COMMISSIONER EVANS asked for clarification of Item 8 in regard to the setbacks. MS. LAZOVICH explained that along the northern portion of this property is the Las Vegas Valley Water District location, along the eastern portion is vacant property and there is parking and empty space in those locations.

MR. BORDEL pointed out that those areas are not visible, but could cause undesirable activities.

COMMISSIONER QUINN asked if the condominiums are two story or single story on the north. Persons in the audience said they are single story.

CHAIRMAN GALATI did not feel there will be loitering in the office area and mini-storage facilities are low noise producers. This is the best use of this property for the residents.

COMMISSIONER McSWAIN commented that in areas where landscaping can be reduced it does not impact the surrounding areas in terms of aesthetics.

COMMISSIONER TRUESDELL said he looked at this site and did not feel the residents' concerns are well founded. The storage unit would be convenient for the residents. This will be primarily occupied by owner/users. If the mini-storage is not built, there would be C-1 (Limited Commercial) on the property.

COMMISSIONER QUINN asked if the applicant would be in favor of having a Deed Restriction placed on the mini-storage facility. MS. LAZOVICH responded in the affirmative.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 5 [Z-0079-02], Item 6 [SDR-1020], Item 7 [SUP-1105], Item 8 [VAR-1106] and Item 9 [SUP-1107] for further discussion.

(6:29 – 7:01)

1-830

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - Z-0079-02 - APACHE CHEYENNE, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-CL (Single Family Compact-Lot) TO: C-1 (Limited Commercial) on 5.0 acres adjacent to the northwest corner of Cheyenne Avenue and Grand Canyon Drive (APN: 138-07-401-008), Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

93

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions with Condition 1 amended to include a Deed Restriction limiting the C-1 (Limited Commercial) portion to “Mini-Storage” and “Boat/RV storage” only, and to reapply for N-S (Neighborhood Services) zoning after a Text Amendment to allow these uses in the N-S district is approve – UNANIMOUS with NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated Item 4 [GPA-0033-02], Item 5 [Z-0079-02], Item 6 [SDR-1020], Item 7 [SUP-1105], Item 8 [VAR-1106] and Item 9 [SUP-1107] were held in abeyance from the last meeting in order to pursue the idea of a planned development. The applicant has since decided they do not want to pursue a planned development and would like the applications to be heard as submitted. Staff would like this application amended to O (Office) as a land use category and O (Office) zoning district for the entire site. Staff is trying to encourage all new office uses to go into Town Center. Cheyenne Avenue is the only feeder street and offices would have less traffic. The more intense uses in C-1 (Limited Commercial) would not be compatible with the properties to the south or east of this site.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 5 – Z-0079-02

MINUTES – Continued:

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 4 [GPA-0033-02], Item 6 [SDR-1020], Item 7 [SUP-1105], Item 8 [VAR-1106] and Item 9 [SUP-1107] for further discussion.

(6:29 – 7:01)

1-830

CONDITIONS:

Planning and Development

1. The request shall be amended to O (Office).
2. A General Plan Amendment (GPA-0033-02) to the O (Office) land use designation approved by the City Council.
3. A Resolution of Intent with a two-year time limit.
4. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

5. Dedicate 50 feet of right-of-way adjacent to this site for Cheyenne Avenue, 40 feet for Grand Canyon Drive, and dedicate a 54 foot radius on the northwest corner of Cheyenne Avenue and Grand Canyon Drive prior to the issuance of any permits.
6. Construct half-street improvements including appropriate overpaving on Cheyenne Avenue and Grand Canyon Drive adjacent to the entire legal parcel of which this site is a part concurrent with the first phase of development anywhere on this parcel. Install all appurtenant underground facilities, if any, adjacent to this parcel needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 5 – Z-0079-02

CONDITIONS – Continued:

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - SDR-1020 - APACHE CHEYENNE, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and for a Reduction in the Amount of Perimeter Landscaping FOR A PROPOSED 15,000 SQUARE FOOT OFFICE BUILDING AND A 67,210 SQUARE FOOT MINI STORAGE DEVELOPMENT on 5.0 acres adjacent to the northwest corner of Cheyenne Avenue and Grand Canyon Drive (APN: 138-07-401-008), R-CL (Single Family Compact-Lot) [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

92

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions with Conditions 1 and 4 deleted - **UNANIMOUS** with NIGRO excused

To be heard by the City Council on 1/8/2002.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that staff would recommend approval of the office building, but denial of the mini storage development.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 4 [GPA-0033-02], Item 5 [Z-0079-02], Item 7 [SUP-1105], Item 8 [VAR-1106] and Item 9 [SUP-1107] for further discussion.

(6:29 –7:01)

1-830

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 6 – SDR-1020

CONDITIONS:

Planning and Development

1. A Rezoning (Z-0079-02) to an O (Office) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the elimination of the mini-warehouse component of the site plan.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 6 – SDR-1020

CONDITIONS – Continued:

11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 6 – SDR-1020

CONDITIONS – Continued:

18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

19. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
20. Site development to comply with all applicable conditions of approval for Z-79-02, and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - SUP-1105 - APACHE CHEYENNE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A MINI-WAREHOUSE FACILITY adjacent to the north side of Cheyenne Avenue, approximately 250 feet west of Grand Canyon Drive (APN: 138-07-401-008), R-CL (Single Family Compact-Lot) [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

91

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions – UNANIMOUS with NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that staff would recommend approval of the office building, but denial of the mini storage development. RV boat storage is not permitted in a C-1 (Limited Commercial) district. Staff recommended denial.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 4 [GPA-0033-02], Item 5 [Z-0079-02], Item 6 [SDR-1020], Item 8 [VAR-1106] and Item 9 [SUP-1107] for further discussion.

(6:29 – 7:01)

1-830

PLANNING COMMISSION MEETING OF NOVEMBER 21, 2002
Planning & Development Department
Item 7 – SUP-1105

CONDITIONS:

Planning and Development

A) Project Conditions:

1. No more than one manager's security residence shall be permitted.
2. All storage shall be within an enclosed building except for the storage of recreational vehicles which shall be completely screened from view from surrounding properties and abutting streets.
3. No business shall be conducted from or within a mini-storage facility.
4. Retail sale of stored items on the premises is prohibited.
5. The commercial repair of motor vehicles, boats, trailers and other like vehicles shall be prohibited.
6. The operation of spray-painting equipment, power tools, welding equipment or other similar equipment shall be prohibited.
7. The production, fabrication or assembly of products shall be prohibited.
8. Truck and trailer storage shall be screened from the street and adjacent property.
9. When adjacent to a residential use, the exterior wall of the mini-warehouse shall be constructed of decorative block.

B) Standard Conditions:

10. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0079-02) and Site Development Plan Review (SDR-1020).
11. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
12. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - VAR-1106 - APACHE CHEYENNE, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW A ZERO FOOT REAR SETBACK WHERE 20 FEET IS THE MINIMUM ALLOWED AND A ZERO FOOT SIDE SETBACK WHERE 10 FEET IS THE MINIMUM SETBACK ALLOWED IN CONJUNCTION WITH A PROPOSED MINI-WAREHOUSE FACILITY adjacent to the north side of Cheyenne Avenue, approximately 250 feet west of Grand Canyon Drive (APN: 138-07-401-008), R-CL (Single Family Compact-Lot) [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

91

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions – UNANIMOUS with NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that staff would recommend denial of the mini storage development. RV boat storage is not permitted in a C-1 (Limited Commercial) district. Staff recommended denial.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 4 [GPA-0033-02], Item 5 [Z-0079-02], Item 6 [SDR-1020], Item 7 [SUP-1105], and Item 9 [SUP-1107] for further discussion.

(6:29 – 7:01)

PLANNING COMMISSION MEETING OF NOVEMBER 21, 2002
Planning & Development Department
Item 8 – VAR-1106

CONDITIONS:

Planning and Development

A) Project Conditions:

1. The applicant shall obtain approval from the Department of Building and Safety for the structure.

B) Standard Conditions:

2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - SUP-1107 - APACHE CHEYENNE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A RECREATIONAL VEHICLE AND BOAT STORAGE IN CONJUNCTION WITH A PROPOSED MINI-WAREHOUSE DEVELOPMENT adjacent to the north side of Cheyenne Avenue, approximately 250 feet west of Grand Canyon Drive (APN: 138-07-401-008), R-CL (Single Family Compact-Lot) [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions – UNANIMOUS with NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that RV and boat storage is not permitted in a C-1 (Limited Commercial) district. Staff recommended denial.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 4 [GPA-0033-02], Item 5 [Z-0079-02], Item 6 [SDR-1020], Item 7 [SUP-1105], and Item 8 [VAR-1106] for further discussion.

(6:29 – 7:01)

1-830

PLANNING COMMISSION MEETING OF NOVEMBER 21, 2002
Planning & Development Department
Item 9 – SUP-1107

CONDITIONS:

Planning and Development

A) Project Conditions:

1. Storage of recreational vehicles and boats is not permitted within required setbacks or buffer areas.
2. Storage areas that are not screened by an intervening building shall be screened completely from view from any public street by a screening device at least eight feet in height. In addition, storage areas shall be screened completely from view from any adjoining property by a screening device at least eight feet in height, except along the property line of any adjoining property that is zoned C-M or M.
3. The commercial repair of recreational vehicles, boats, trailer and other like vehicles is prohibited.

B) Standard Conditions:

4. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0079-02) and Site Development Plan Review (SDR-1020).
5. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - Z-0068-02 - GEOFFREY COMMONS - Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) on 3.58 acres located adjacent to the west side of Jones Boulevard, approximately 300 feet north of Cheyenne Avenue (APN: 138-11-804-019), PROPOSED USE: 8,000 SQUARE FOOT COMMERCIAL BUILDING (DOLLAR STORE), Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

McSWAIN – ABEYANCE of Item 10 [Z-0068-02] and Item 11 [Z-0068-02(1)] to the 12/19/2002 Planning Commission meeting – UNANIMOUS with TRUESDELL abstaining as he has an interest in property across the street and NIGRO excused

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated Item 10 [Z-0068-02] and Item 11 [Z-0068-02(1)] were held at the last meeting to allow the applicant time to hold a neighborhood meeting. As an outcome of that meeting, several new conditions were submitted. Staff can agree to those conditions. This is an 8,000 square foot dollar store on the southwest corner of Jones Boulevard and Atwood Avenue. Staff wants to make sure the Residential Adjacency Standards are met. The roofline should be redone to insure compliance to the residential. A landscape buffer should be provided along the north property line. The lighting fixtures should be limited to 20 feet in height. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 10 – Z-0068-02

MINUTES – Continued:

RANDY ALEXANDER, 3207 Justin Road, Flowermont, Texas appeared on behalf of the dollar store. It will be a general retail store that has a variety of items. The items range from \$1 to \$50. Family Dollar Store is a company that opened their first store in 1959 in North Carolina. They currently have about 4,600 stores in 39 states. They are the fastest growing retailer in the nation.

CHARLES JENKINS, 3310 North Bronco Street, appeared in protest. He asked what type of developments would be allowed in C-1 (Limited Commercial) districts. MR. CLAPSADDLE explained that some uses would be retail, offices, restaurants, bank, etc. MR. JENKINS was concerned that if this store would close what could be developed on the property. He was concerned about an increase in crime.

PHILLIP and JILL FILKOHASI, 3360 North Bronco Street, appeared in protest. They would prefer an additional meeting with the neighbors. They were concerned that the developer will not comply with the conditions as they were vague. They were also concerned about the architecture. There is an existing dollar store about a mile away.

RICHARD MORENO, Moreno & Associates, 300 South 4th Street, appeared on behalf of the applicant and said they have explained in their letter of 11/13/2002 what they plan to do. MR. CLAPSADDLE thought there is a discrepancy on the delivery hours. MR. MORENO responded that the policy of the company is that the deliveries are completed during their normal operating hours.

CHAIRMAN GALATI felt the conditions should not be so vague.

MARGO WHEELER, Planning and Development, suggested trailing this item and tightening the conditions.

COMMISSIONER EVANS felt these items should be trailed as some of the conditions are not enforceable.

CHAIRMAN GALATI announced Items 10 and 11 would be trailed.

CHAIRMAN GALATI recalled Item 10 and Item 11 after Item 21 was heard.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 10 – Z-0068-02

MINUTES – Continued:

MARGO WHEELER, Planning and Development, said that in working with the list of 21 conditions prepared by the neighbors, Conditions 1 and 2 in regard to the perimeter wall would be amended to read: *An eight foot high masonry wall measured from highest grade elevation would be constructed on the northern property line. Construction shall meet all building code standards and insure no drainage onto neighboring lots.* Condition 3 would be amended to read: *The 24 inch box evergreen trees 20 feet on center shall be planted on the northern property line within the 20 foot landscape easement.* Conditions 4 and 5 would be amended to read: *The operating hours and delivery hours shall be 9:00 a.m. to 8:00 p.m.* Conditions 6 and 7 remain the same. Condition 8 would be deleted. Condition 9 would be reworded to indicate the *lighting will shine downward away from the homes.* Conditions 10 through 15 remain the same. Condition 16 would indicate that there be *sufficient dumpsters and that they be designed to meet City approved and closure standards.* Condition 17 remains the same. Condition 18 would be amended to indicate *medians as required by the City.* Condition 19 would be deleted as it is no longer necessary. Conditions 20 and 21 remain the same. The neighbors have agreed to these changes.

PHILLIP and JILL FILKHAZI appeared again in protest. They did not feel the neighbors agreed to the conditions as amended. The developer will be meeting minimum requirements. The building is for sale.

COMMISSIONER GOYNES did not feel many of the neighbors are in objection to this project. Perhaps this application should be held in abeyance to work out any issues.

TOM McGOWAN, Las Vegas resident, appeared in protest. The Commissioners should handle this application in a fair and equitable manner.

TODD FARLOW, 240 North 19th Street, appeared in protest. Everyone in the notification area bought into their property and inquired as to what the zoning was at that time. The applicant wants to change the zoning. The applicant should comply with the zoning. CHAIRMAN GALATI clarified that the General Plan allows this kind of zoning and felt this application should be held in abeyance for two weeks to enable a set of conditions to be crafted that meet the needs of the residents.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 10 – Z-0068-02

MINUTES – Continued:

MR. MORENO noted that they have had a clearcut position. They held a neighborhood meeting, the neighbors explained what they wanted, and the developer told them what could be done.

CHRIS KNIGHT, Planning and Development, stated that staff will work with the neighbors' conditions, staff's conditions, and then provide a list of the final conditions to the Planning Commission, applicant, and neighbors.

CHAIRMAN GALATI declared the Public Hearing closed.

(7:01 – 7:23/8:08 – 8:22)

1-2060-3130/1150-1700

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - Z-0068-02(1) - GEOFFREY COMMONS -
Request for a Site Development Plan Review FOR A 8,000 SQUARE FOOT COMMERCIAL BUILDING (DOLLAR STORE) on 3.58 acres located adjacent to the west side of Jones Boulevard, approximately 300 feet north of Cheyenne Avenue (APN: 138-11-804-019), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

McSWAIN – ABEYANCE of Item 10 [Z-0068-02] and Item 11 [Z-0068-02(1)] to the 12/19/2002 Planning Commission meeting – UNANIMOUS with TRUESDELL abstaining as he has an interest in property across the street and NIGRO excused

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated Item 10 [Z-0068-02] and Item 11 [Z-0068-02(1)] were held at the last meeting to allow the applicant time to hold a neighborhood meeting.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 11 – Z-0068-02(1)

MINUTES – Continued:

RANDY ALEXANDER, 3207 Justin Road, Flowermont, Texas appeared on behalf of the dollar store.

CHARLES JENKINS, 3310 North Bronco Street, appeared in protest.

PHILLIP and JILL FILKHAZI, 3360 North Bronco Street, appeared in protest.

RICHARD MORENO, Moreno & Associates, 300 South 4th Street, appeared on behalf of the applicant.

TOM McGOWAN, Las Vegas resident, appeared as a concerned citizen.

TODD FARLOW, 240 North 19th Street, appeared in protest.

MARGO WHEELER, Planning and Development, clarified the conditions.

CHRIS KNIGHT, Planning and Development, stated that staff will work with the neighbors' conditions, staff's conditions, and then provide a list of the final conditions to the Planning Commission, applicant, and neighbors.

CHAIRMAN GALATI declared the Public Hearing closed.

(7:01 – 7:23/8:08 – 8:22)

1-2060-3130/1150-1700

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - Z-0071-02 - FRE-AL, LIMITED LIABILITY COMPANY AND ALBERT FLANGAS ON BEHALF OF FRED LESSMAN - Request for a Rezoning FROM: U (Undeveloped) [TC (Town Center) General Plan Designation] TO: TC (Town Center) of 2.35 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of El Capitan Way [proposed Durango Drive alignment] (APN: 125-20-201-017 and 018), PROPOSED USE: TAVERN, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUEDELL abstaining as an agent in his office owns an adjacent parcel and NIGRO excused

McSWAIN – RECONSIDER - UNANIMOUS with TRUEDELL abstaining and NIGRO excused

QUINN – WITHDRAWN WITHOUT PREJUDICE ITEM 12 [Z-0071-02], ITEM 13 [U-0118-02], ITEM 14 [Z-0071-02(1)], AND ITEM 15 [SUP-1060] – UNANIMOUS with TRUEDELL abstaining and NIGRO excused

This is Final Action.

NOTE: COMMISSIONER TRUEDELL announced that he will abstain on these items inasmuch as an agent in his office owns an adjacent parcel.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 12 –Z-0071-02

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated the applicant has requested this item be withdrawn. It was held in abeyance at the last meeting pending a change in ownership, which has occurred.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: After this item was heard, CRAIG BROOKSBY, 6260 West Spring Brook Court, appeared to request if this item could be reheard. His firm purchased this property from the original applicant. They would like to proceed with the zone change to TC (Town Center).

DAVID CLAPSADDLE, Planning and Development, explained that this is a request to rezone this property to TC (Town Center). Staff has said that any property designated TC (Town Center) on the General Plan should be zoned TC (Town Center).

CHAIRMAN GALATI announced after the reconsideration vote was taken that this item would be heard in its normal order on the agenda.

CHAIRMAN GALATI recalled these items after Items 18 and 19 were heard.

DAVID CLAPSADDLE, Planning and Development, said Item 12 pertains to the rezoning of property to TC (Town Center). Staff has consistently recommended that properties designated TC (Town Center) on the General Plan be zoned TC (Town Center).

CRAIG BROOKSBY, 6260 West Springbrook Court, appeared on behalf of the application and concurred with staff's comments.

NOTE: All discussion for Item 12 [Z-0071-02], Item 13 [U-0118-02], Item 14 [Z-0071-02(1)] and Item 15 [SUP-1060] was held under Item 12 [Z-0071-02].

(6:08 – 6:10/6:20 – 6:22/7:42 – 7:43)

1-130/1-540/2-270

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 12 –Z-0071-02

CONDITIONS:

Planning and Development

1. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. A Town Center Arterial Trail shall be provided along the Deer Springs Way frontage of the subject site in accordance with the Transportation Element of the city of Las Vegas 2020 Master Plan.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for those portions of Deer Springs Way not previously dedicated prior to the issuance of any permits.
4. Construct half-street improvements including appropriate overpaving, if legally able on Deer Springs Way adjacent to this site that meet Town Center Standards concurrent with development of this site. Additionally, construct a paved legal access road, per Clark County Area Standard Drawing #209, to this site prior to occupancy of this site.
5. If not already constructed at time of development, coordinate with the Collection Systems Planning Section of the Department of Public Works to determine appropriate alignments to extend oversized public sewer to this site at a size, depth, and location acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 12 –Z-0071-02

CONDITIONS – Continued:

6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - U-0118-02 - FRE-AL, LIMITED LIABILITY COMPANY AND ALBERT FLANGAS ON BEHALF OF FRED LESSMAN - Request for a Special Use Permit FOR A TAVERN adjacent to the north side of Deer Springs Way, approximately 330 feet west of El Capitan Way [proposed Durango Drive alignment] (APN: 125-20-201-017 and 018), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: TC (Town Center) Zone], Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN – WITHDRAWN WITHOUT PREJUDICE ITEM 12 [Z-0071-02], ITEM 13 [U-0118-02], ITEM 14 [Z-0071-02(1)], AND ITEM 15 [SUP-1060] – UNANIMOUS with TRUEDELL abstaining as an agent in his office owns an adjacent parcel and NIGRO excused

This is Final Action.

NOTE: COMMISSIONER TRUEDELL announced that he will abstain on these items inasmuch as an agent in his office owns an adjacent parcel.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the applicant has requested this item to be withdrawn. It was held in abeyance at the last meeting pending a change in ownership, which has occurred.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 13 –U-0118-02

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 12 [Z-0071-02], Item 13 [U-0118-02], Item 14 [Z-0071-02(1)] and Item 15 [SUP-1060] was held under Item 12 [Z-0071-02].

(6:08 – 6:10)

1-130

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - Z-0071-02(1) - FRE-AL, LIMITED LIABILITY COMPANY AND ALBERT FLANGAS ON BEHALF OF FRED LESSMAN - Request for a Site Development Plan Review FOR A PROPOSED TAVERN on 2.35 acres adjacent to the north side of Deer Springs Way approximately 330 feet west of El Capitan Way [proposed Durango Drive Alignment] (APN: 125-20-201-017 and 018), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: TC (Town Center)], Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN – WITHDRAWN WITHOUT PREJUDICE ITEM 12 [Z-0071-02], ITEM 13 [U-0118-02], ITEM 14 [Z-0071-02(1)], AND ITEM 15 [SUP-1060] – UNANIMOUS with TRUESDELL abstaining as an agent in his office owns an adjacent parcel and NIGRO excused

This is Final Action.

NOTE: COMMISSIONER TRUESDELL announced that he will abstain on these items inasmuch as an agent in his office owns an adjacent parcel.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the applicant has requested this item to be withdrawn. It was held in abeyance at the last meeting pending a change in ownership, which has occurred.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 14 – Z-0071-02(1)

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 12 [Z-0071-02], Item 13 [U-0118-02], Item 14 [Z-0071-02(1)] and Item 15 [SUP-1060] was held under Item 12 [Z-0071-02].

(6:08 – 6:10)

1-130

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - SUP-1060 - FRE-AL, LIMITED LIABILITY COMPANY AND ALBERT FLANGAS ON BEHALF OF FRED LESSMAN - Request for a Special Use Permit FOR GAMING IN CONJUNCTION WITH A PROPOSED TAVERN adjacent to the north side of Deer Springs Way, approximately 330 feet west of El Capitan Way [PROPOSED Durango Drive alignment] (APN: 125-20-201-017 and 018), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: TC (Town Center)], Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN – WITHDRAWN WITHOUT PREJUDICE ITEM 12 [Z-0071-02], ITEM 13 [U-0118-02], ITEM 14 [Z-0071-02(1)], AND ITEM 15 [SUP-1060] – UNANIMOUS with TRUESEDELL abstaining as an agent in his office owns an adjacent parcel and NIGRO excused

This is Final Action.

NOTE: COMMISSIONER TRUESEDELL announced that he will abstain on these items inasmuch as an agent in his office owns an adjacent parcel.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the applicant has requested this item to be withdrawn. It was held in abeyance at the last meeting pending a change in ownership, which has occurred.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 15 – SUP-1060

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 12 [Z-0071-02], Item 13 [U-0118-02], Item 14 [Z-0071-02(1)] and Item 15 [SUP-1060] was held under Item 12 [Z-0071-02].

(6:08 – 6:10)

1-130

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - ZON-1025 - MICELI FAMILY TRUST, ET AL ON BEHALF OF AMERICAN PREMIERE - Request for a Rezoning FROM: U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] TO: R-PD2 (Residential Planned Development - 2 Units per Acre) on approximately 40 acres adjacent to the northwest corner of Jones Boulevard and Meisenheimer Avenue (APNs: 125-11-604-009 and 010, 125-11-702-001 and 002), PROPOSED USE: SINGLE-FAMILY RESIDENTIAL DEVELOPMENT, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

48

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUESELL – ABEYANCE of ITEM 16 [ZON-1025] and ITEM 17 [SDR-1026] to 12/19/2002 Planning Commission meeting – UNANIMOUS with NIGRO excused

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the applicant has requested Item 16 [ZON-1025] and Item 17 [SDR-1026] be held in abeyance to the 12/19/2002 meeting so they can continue to work with the neighbors on the design, number and density.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent American Premiere Homes. They would like to have Items 16 and 17 continued to the 12/19/2002 meeting so they can work with the neighbors.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 16 – ZON-1025

MINUTES – Continued:

PHIL BARNETT, 6380 Racel Street, said he did not feel the neighbors are being properly noticed of the meetings. CHAIRMAN GALATI clarified that it was announced at the last meeting it would not be renoticed.

TIGNER LATHAM, 6220 Iron Mountain Road, said some of the neighbors were told that this meeting was going to be postponed. ATTORNEY GRONAUER said they want to meet again with the neighbors to show their revised plan.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 16 [ZON-1025] and Item 17 [SDR-1026] was held under Item 16 [ZON-1025].

(6:10 – 6:15)

1-180

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - SDR-1026 - MICELI FAMILY TRUST, ET AL, ON BEHALF OF AMERICAN PREMIERE - Request for a Site Development Plan Review FOR AN 80-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on approximately 40 acres adjacent to the northwest corner of Jones Boulevard and Meisenheimer Avenue (APN's: 125-11-604-009 and 010, 125-11-702-001 and 002), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation], [PROPOSED: R-PD2 (Residential Planned Development - 2 Units per Acre)], Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

48

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUEDELL – ABEYANCE of ITEM 16 [ZON-1025] and ITEM 17 [SDR-1026] to 12/19/2002 – UNANIMOUS with NIGRO excused

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, presented the staff report under Item 16 [ZON-1025].

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent American Premiere Homes.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 17 – SDR-1026

MINUTES – Continued:

PHIL BARNETT, 6380 Racel Street, appeared.

TIGNER LATHAM, 6220 Iron Mountain Road, appeared.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 16 [ZON-1025] and Item 17 [SDR-1026] was held under Item 16 [ZON-1025].

(6:10 – 6:15)

1-180

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - ZON-1053 - ROMNEER, LIMITED PARTNERSHIP - Request for a Rezoning FROM: U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] TO: R-PD3 (Residential Planned Development - 3 Units per Acre) on 10 acres adjacent to the southeast corner of Rome Boulevard and Tioga Way (APNs: 125-22-402-003 through 006), PROPOSED USE: SINGLE-FAMILY RESIDENTIAL DEVELOPMENT, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL - APPROVED subject to conditions amended as follows:

1. *The request shall be amended to R-PD2 (Residential Planned Development – 2 Units per Acre) to allow a maximum of 24 homes on the site; and*
3. *Construct rural street improvements on Rome Boulevard, Pioneer Way, Darling Road and Tioga Way adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Curbing shall be installed if required by the Drainage Study. The exterior streetlighting shall be stubbed out for later use, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. In addition, construct two lanes of temporary paving on Pioneer Way from the south edge of this site southward to the Centennial Parkway alignment. All construction traffic to the development shall use this road to access the site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site -*

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 18 – ZON-1053

MOTION – Continued:
UNANIMOUS with NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated Items 18 and 19 were held at the last meeting to allow time for the applicant to meet with the neighbors. It is staff's understanding a meeting was held on 12/3/2002. The original subdivision was for 31 lots. This submittal shows a total of 24 lots. A change in the design is due to the fact that along Rome Boulevard, Tioga Way, and Darling Road the lots will face those streets. The only lots that will not face out to a street are those along Pioneer Way. The lot sizes along Rome Boulevard are approximately 20,000 square feet. All the other lots are 11,000 square feet. This application could be amended to R-PD2 (Residential Planned Development – 2 Units Per Acre). As part of the revised subdivision, the homes should be limited to one story or 35 feet. A maximum of four lots front on Rome Boulevard with a front yard setback of 45 feet.

ATTORNEY BILL CURRAN, 300 South Fourth Street, appeared on behalf of the applicant. There have been two neighborhood meetings. The neighbors have asked that the dust be controlled along Pioneer Way, not along the applicant's property. They plan to work with the Health District on that issue.

BART ANDERSON, Public Works, said he would like to modify Condition 3 as follows: *Construct rural street improvements on Rome Boulevard, Pioneer Way, Darling Road and Tioga Way adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Curbing shall be installed if required by the Drainage Study. The exterior streetlighting shall be stubbed out for later use, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. In addition, construct two lanes of temporary paving on Pioneer Way from the south edge of this site southward to the Centennial Parkway alignment. All construction traffic to the development shall use this road to access the site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. The land in question is currently right-of-way.*

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 18 – ZON-1053

MINUTES – Continued:

TOM McGOWAN, resident of Las Vegas, appeared as a concerned citizen. He asked how many residents may be impacted by this project and the implications of the cul-de-sac.

TODD FARLOW, 240 North 19th Street, appeared to ask if there are trails along Rome Boulevard and the square footage of the lots and homes.

MR. CLAPSADDLE said that the area to the west is in the County. To the west it is designated R (Rural) on the General Plan. The area to the north, northeast and east is DR (Desert Rural).

STEVE SWISHER, 7520 West Rome Boulevard, appeared in approval. The developer met with the neighbors two times. The plan presented at this meeting is what the neighbors have approved. They would like temporary paving to the frontage road for truck traffic to access this project during construction.

ATTORNEY CURRAN agreed to the conditions. However, they want to review this project prior to the City Council meeting in regard to the paving.

BART ANDERSON, Public Works, said he wants the condition to remain as stated.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 19 (SDR-1054) for further discussion.
(7:23 – 7:42)

1-3130

CONDITIONS:

Planning and Development

A) Project Conditions:

None.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 18 – ZON-1053

CONDITIONS – Continued:

B) Standard Conditions:

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

C) Project Conditions:

3. Construct half-street improvements including appropriate overpaving, if legally able, on Rome Boulevard, Pioneer Boulevard, Darling Road and Tioga Way adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

D) Standard Conditions:

4. Provide a paved legal access per Clark County Area Standard Drawing #209 to this site prior to occupancy of any units within this development.
5. Extend public sewer to the south edge of this site along the pioneer alignment and extend a stub to the southwest corner of this site at a depth and to a location acceptable to the City Engineer concurrent with development of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
6. A Master Streetlight Plan of public street lights for the overall subdivision shall be submitted to and approved by the Department of Public Works prior to the submittal of any construction drawings for this site.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 18 – ZON-1053

CONDITIONS – Continued:

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - SDR-1054 - ROMNEER, LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A 31-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10 acres adjacent to the southeast corner of Rome Boulevard and Tioga Way (APNs: 125-22-402-003 through 006), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (Residential Planned Development - 3 Units per Acre)], Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL - APPROVED subject to conditions with application amended to 24 single family residential lots and additional conditions as follows:

1. *All single family residences shall be limited to one story or 35 feet;*
2. *All lots abutting Rome Boulevard, Tioga Way and Darling Road shall face out to those streets; and*
3. *A maximum of four lots shall have frontage along Rome Boulevard, with a minimum front setback of 45 feet –*

UNANIMOUS with NIGRO excused

To be heard by the City Council on 1/8/2003.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 19 – SDR-1054

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, suggested the following conditions under Project Conditions: 1. All homes shall be limited to one story or 35 feet. 2. All lots abutting Rome Boulevard, Tioga Way and Darling Road shall face those streets. 3. A maximum of four lots shall have frontage along Rome Boulevard with a minimum setback of 45 feet.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 18 (ZON-1053) for further discussion.

(7:23 – 7:42)

1-3130

CONDITIONS:

Planning and Development

A) Project Conditions:

None.

B) Standard Conditions:

1. A Rezoning [ZON-1053] to an R-PD3 (Residential Planned Development - 3 Units per Acre) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. Maximum building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 20 feet to the front of the house, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002

Planning & Development Department

Item 19 – SDR-1054

CONDITIONS – Continued:

6. Landscaping and a permanent underground sprinkler system for common open space areas shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
7. Air conditioning units shall not be mounted on rooftops.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

C) Project Conditions:

12. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-1053 and all other subsequent site-related actions.

D) Standard Conditions:

13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed access drives and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated access drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222a.
14. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
15. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - SDR-1120 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY ON BEHALF OF CONCORDIA HOMES - Request for a Site Development Plan Review FOR A 77-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 22.18 acres adjacent to the northwest and northeast corners of Cliff Shadows Parkway and Hickam Avenue (APN: 137-01-301-010 and a portion of 137-01-301-003), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN - APPROVED subject to conditions and additional condition as follows:

- *Coordinate with the Department of Public Works to determine appropriate public street alignments necessary to provide access to Assessor's Parcel Numbers 137-01-301-001 and 137-01-301-002 to the west of this site prior to approval of a Tentative Map for this site. The Final Map for this site shall dedicate necessary right-of-way to provide such access.*

– **UNANIMOUS** with **TRUEDELL** abstaining inasmuch as Southwest Desert Equities is a client of his firm and **NIGRO** excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 20 – SDR-1120

MINUTES – Continued:

DAVID CLAPSADDLE, Planning and Development, stated this was held at the last meeting in order for the applicant to meet with staff regarding access to the property to the west. Public Works has suggested a condition to alleviate that situation. A revised site plan has not been submitted since the last meeting. There are 39-foot wide private streets with rolled curbs. It complies with the open space standards and conditions of rezoning. There is a condition requiring a contribution to Park 2 as part of the Lone Mountain West Master Plan. Staff recommended approval subject to the conditions.

JEFFREY ARMSTRONG, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant. In regard to Condition 3, Concordia Homes would like to revisit this issue with staff and COUNCILMAN BROWN'S office.

TODD FARLOW, 240 North 19th Street, asked if there are trails in this project. MR. CLAPSADDLE responded that there are trails in Item 21 along Alexander Road.

TOM McGOWAN, Las Vegas resident, asked what is planned to the west and south of the subject property. He wondered if this would be considered an infill project or new extended development on the perimeter. MR. CLAPSADDLE answered that the property to the west is contemplated to be an elementary school site. CHAIRMAN GALATI said this is considered as new development.

BART ANDERSON, Public Works, requested the following condition be added to this application: *Coordinate with the Department of Public Works to determine appropriate public street alignments necessary to provide access to Assessor's Parcel Numbers 137-01-301-001 and 137-01-301-002 to the west of this site prior to approval of a Tentative Map for this site. The Final Map for this site shall dedicate necessary right-of-way to provide such access.*

MR. ARMSTRONG said he concurred with the additional condition.

MR. CLAPSADDLE added that part of the Lone Mountain West Master Plan has a specific formula as to how the amount is calculated and is put into a kitty that goes toward the development of Park 2. It has been determined that the average cost per acre to do a park is \$300,000.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 20 – SDR-1120

MINUTES – Continued:

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(7:43 – 7:51)

2-320

CONDITIONS:

Planning and Development

A) Project Conditions:

1. The setbacks for this development shall be a minimum of 20 feet to the garage and 15 feet to the front of the house as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.
2. The applicant shall work with the master developer to determine the proportionate share of the cost of provision of infrastructure and services.
3. The applicant shall contribute \$149,072 toward the cost of park 2 within the Lone Mountain West Master Plan Area, prior to the issuance of any building permits.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
5. The applicant shall construct a fifty-foot wide multi-use trail along the east and north sides of the development. The applicant shall also complete construction of the trail prior to 75% of the subdivision being built-out.
6. A detailed landscaping plan depicting the trails, street frontages, and pocket park areas must be submitted prior to or at the same time application is made for a building permit.
7. All proposed landscape plans shall demonstrate compliance with the Lone Mountain West Development Plan plant palette.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 20 – SDR-1120

CONDITIONS - Continued:

B) Standard Conditions:

8. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
9. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
12. Any perimeter property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

A) Standard Conditions:

15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated access driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 20 – SDR-1120

CONDITIONS – Continued:

17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-1123 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - SDR-1128 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 147-LOT SINGLE FAMILY ATTACHED RESIDENTIAL DEVELOPMENT on 16.74 acres adjacent to the northeast corner of Cliff Shadows Parkway and Alexander Road (a portion of APN: 137-01-301-003), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation under Resolution of Intent to PD (Planned Development) [PROPOSED: PD (Planned Development)], Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions with revised Condition 1, defining setback areas more precisely, and revised Condition 6 as follows:

1. The setbacks for this development shall be 5 feet to the garage measured from the back of the private drive, 8 feet to the side containing the front door, zero feet on the attached side, and 5 feet in the rear; and
6. The applicant shall construct a fifty-foot wide multi-use trail along the east and north sides of the development and a 35-foot wide multi-use transportation trail and equestrian trail along the north side of Alexander Road. The applicant shall also complete construction of the trails prior to 75% of the subdivision being built-out -

UNANIMOUS with **TRUESDELL** abstaining inasmuch as Southwest Desert Equities is a client of his firm with **NIGRO** excused

To be heard by the City Council on 1/8/2003.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 21 – SDR-1128

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that this application was held in abeyance to be able to continue working on the design of the project. Staff has received a revised site plan from the applicant, which has changed the design. The major change is that they have added the required 35-foot wide multi-use transportation trail and equestrian trail along the north side of Alexander Road. They are also showing a trail along the power easement that goes through the property. On the prior project, all the driveways that went into the homes were 12 feet wide. They have been increased to 24-feet wide, which is a major improvement to the project. There are still concerns with the design of the overall project. There is a lack of innovation in the design and a concern with the setbacks. There are no curvilinear streets. An eight-foot separation between houses makes them too close. Visitor parking is not identified. Staff recommended denial.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, and CALVIN CHAMPLIN, Quadrant Planning, 320 North Buffalo Drive, Suite 205, appeared in order to represent the applicant. ATTORNEY FIORENTINO said this is not an easy project to design because of its shape, a power line runs in the middle, a trail has to be on the south end, and grade differences. It is substantially a lower density than what the General Plan allows, which is 12 units to the acre, and this proposal is a little over eight units to the acre. He concurred with staff's conditions.

TODD FARLOW, 240 North 19th Street, asked if these are townhomes. ATTORNEY FIORENTINO explained that they are single-family residences that have a common wall at the garages.

CHAIRMAN GALATI commented that this is a good project. However, he was concerned about the site plan. Parking needs to be provided for guests. Once there are cars parking on both sides of 39-foot wide streets, small driveways, buildings close together, this will be too dense. The repetitiveness should be broken up.

CHRIS KNIGHT, Planning and Development, felt staff would be willing to work with the applicant prior to the City Council meeting and come to an amicable agreement.

MR. CLAPSADDLE suggested Condition 6 be amended to read: *The applicant shall construct a fifty-foot wide multi-use trail along the power line easement within the development and a 35 foot wide multi-use transportation and equestrian trail along the north side of Alexander Road.*

(7:51 – 8:08)

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 21 – SDR-1128

CONDITIONS:

Planning and Development

A) Project Conditions:

1. The setbacks for this development shall be a minimum of 5 feet to the garage and 5 feet to the front of the house as measured from back of sidewalk or from back of curb if no sidewalk is provided, 0 feet on one side, 8 feet on the other side, 8 feet on the corner side, and 5 feet in the rear.
2. The site plan and landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect the following:
 - A. Redesign the private drive widths to a minimum of 24 feet.
 - B. The addition of visitor parking provided throughout the site.
 - C. Redesign the site to incorporate a more curvilinear designed street pattern.
3. The applicant shall work with the master developer to determine the proportionate share of the cost of provision of infrastructure and services.
4. The applicant shall contribute \$129,000 toward the cost of park 2 within the Lone Mountain West Master Plan Area, prior to the issuance of any building permits.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
6. The applicant shall construct a fifty-foot wide multi-use trail along the east and north sides of the development. The applicant shall also complete construction of the trail prior to 75% of the subdivision being built-out.
7. A detailed landscaping plan depicting the trails, street frontages, and pocket park areas must be submitted prior to or at the same time application is made for a building permit.
8. All proposed landscape plans shall demonstrate compliance with the Lone Mountain West Development Plan plant palette.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 21 – SDR-1128

CONDITIONS – Continued:

B) Standard Conditions:

9. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
10. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
11. Air conditioning units shall not be mounted on rooftops.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
13. Any perimeter property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

A) Standard Conditions:

16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated access driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002

Planning & Development Department

Item 21 – SDR-1128

CONDITIONS – Continued:

17. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-1123 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ZON-1156 - TIGHI FAMILY TRUST LIMITED PARTNERSHIP AND GEORGE LEE REYNOLDS ESTATE ON BEHALF OF CHARTERED DEVELOPMENT - Request for a Rezoning FROM: U (Undeveloped) Zone [M-TC (Medium Density Residential - Town Center) General Plan Designation] TO: T-C (Town Center) Zone on 10.2 acres adjacent to the southeast corner of Bath Boulevard and Fort Apache Road (APN: 125-20-301-010 and 011), PROPOSED USE: MULTI-FAMILY DEVELOPMENT, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUEDELL – ABEYANCE Item 22 [ZON-1156], Item 23 [SUP-1157], Item 24 [SDR-1157] and Item 25 [VAC-1197] to 12/19/2002 Planning Commission meeting – UNANIMOUS with NIGRO excused

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the applicant has requested Item 22 [ZON-1156], Item 23 [SUP-1158], Item 24 [SDR-1157] and Item 25 [VAC-1197] be held to the 12/19/2002 Planning Commission meeting. There is an annexation that needs to catch up and staff has concerns about the design of the project. Staff has the abeyance request in writing.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 22 – ZON-1156

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 22 [ZON-1156], Item 23 [SUP-1157], Item 24 [SDR-1157] and Item 25 [VAC-1197] was held under Item 22 [ZON-1156].

(6:15 – 6:16)

1-340

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SUP-1158 - TIGHI FAMILY TRUST LIMITED PARTNERSHIP AND GEORGE LEE REYNOLDS ESTATE ON BEHALF OF CHARTERED DEVELOPMENT - Request for a Special Use Permit FOR A GATED SUBDIVISION WITH PRIVATE STREETS on 10.2 acres adjacent to the southeast corner of Bath Boulevard and Fort Apache Road (APN: 125-20-301-010 and 011), U (Undeveloped) Zone [M-TC (Medium Density Residential - Town Center) General Plan Designation], [PROPOSED: T-C (Town Center) Zone], Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUESEL – ABEYANCE Item 22 [ZON-1156], Item 23 [SUP-1157], Item 24 [SDR-1157] and Item 25 [VAC-1197] to 12/19/2002 Planning Commission meeting – UNANIMOUS with NIGRO excused

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the applicant has requested Item 22 [ZON-1156], Item 23 [SUP-1158], Item 24 [SDR-1157] and Item 25 [VAC-1197] be held to the 12/19/2002 Planning Commission meeting. There is an annexation that needs to catch up and staff has concerns about the design of the project. Staff has the abeyance request in writing.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 23 - SUP-1158

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 22 [ZON-1156], Item 23 [SUP-1157], Item 24 [SDR-1157] and Item 25 [VAC-1197] was held under Item 22 [ZON-1156].

(6:15 – 6:16)

1-340

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SDR-1157 - TIGHI FAMILY TRUST LIMITED PARTNERSHIP AND GEORGE LEE REYNOLDS ESTATE ON BEHALF OF CHARTERED DEVELOPMENT - Request for a Site Development Plan Review FOR A 198-UNIT MULTI-FAMILY DEVELOPMENT on 10.2 acres adjacent to the southeast corner of Bath Boulevard and Fort Apache Road (APN: 125-20-301-010 and 011), U (Undeveloped) Zone [M-TC (Medium Density Residential - Town Center) General Plan Designation], [PROPOSED: T-C (Town Center) Zone], Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUESEDELL – ABEYANCE Item 22 [ZON-1156], Item 23 [SUP-1157], Item 24 [SDR-1157] and Item 25 [VAC-1197] to 12/19/2002 Planning Commission meeting – UNANIMOUS with NIGRO excused

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the applicant has requested Item 22 [ZON-1156], Item 23 [SUP-1158], Item 24 [SDR-1157] and Item 25 [VAC-1197] be held to the 12/19/2002 Planning Commission meeting. There is an annexation that needs to catch up and staff has concerns about the design of the project. Staff has the abeyance request in writing.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 24 – SDR-1157

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 22 [ZON-1156], Item 23 [SUP-1157], Item 24 [SDR-1157] and Item 25 [VAC-1197] was held under Item 22 [ZON-1156].

(6:15 – 6:16)

1-340

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAC-1197 - TIGHI FAMILY TRUST LIMITED PARTNERSHIP AND GEORGE LEE REYNOLDS ESTATE ON BEHALF OF CHARTERED DEVELOPMENT - Petition to vacate U. S. Government Patents generally located at the northeast corner of Rome Boulevard and Fort Apache Road, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUEDELL – ABEYANCE Item 22 [ZON-1156], Item 23 [SUP-1157], Item 24 [SDR-1157] and Item 25 [VAC-1197] to 12/19/2002 Planning Commission meeting – UNANIMOUS with NIGRO excused

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the applicant has requested Item 22 [ZON-1156], Item 23 [SUP-1158], Item 24 [SDR-1157] and Item 25 [VAC-1197] be held to the 12/19/2002 Planning Commission meeting. There is an annexation that needs to catch up and staff has concerns about the design of the project. Staff has the abeyance request in writing.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 25 – VAC-1197

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 22 [ZON-1156], Item 23 [SUP-1157], Item 24 [SDR-1157] and Item 25 [VAC-1197] was held under Item 22 [ZON-1156].

(6:15 – 6:16)

1-340

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ZON-1189 - PETER V. ROJAS - Request for a Rezoning FROM: C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone TO: C-1 (Limited Commercial) Zone on 1.14 acres located on the north side of Searles Avenue, approximately 200 feet east of Eastern Avenue (APN: 139-25-101-018), PROPOSED USE: CATERING SERVICE, Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL - APPROVED subject to conditions – UNANIMOUS with NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated this rezoning would reclassify a split zone parcel, which is partly C-2 (General Commercial) and partly R-4 (High Density Residential) to a uniform designation of C-1 (Limited Commercial). The proposed rezoning would be compatible with the neighboring zoning districts of C-1 (Limited Commercial) and C-2 (General Commercial), as well as the existing commercial uses to the north, south, and west of the site and multi-family development to the east. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 26 – ZON-1189

MINUTES – Continued:

DAN LEE and PETER ROJAS, 1791 North Lamont Street, appeared on behalf of the application.

TODD FARLOW, 240 North 19th Street, was primarily concerned about Item 28.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 27 [VAR-1192] and Item 28 [SDR-1190] for further discussion.

(8:22 – 8:34)

2-1700

CONDITIONS:

Planning and Development

A) Project Conditions:

None

B) Standard Conditions:

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for any portion of the site.

Public Works

A) Project Conditions:

3. Remove all substandard public street improvements, if any, adjacent to this site on Searles Avenue and replace with new improvements meeting current City Standards concurrent with on-site development activities.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 26 – ZON-1189

CONDITIONS – Continued:

B) Standard Conditions:

4. This site shall be required to connect to the City's sanitary sewer system. Coordinate with the Collection Systems Planning Section of the Department of Public Works prior to the submittal of any construction drawings to extend public sewer to this site at a location and depth acceptable to the City Engineer. Obtain all easements, if necessary, prior to the issuance of any permits for this site.
5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

6. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAR-1192 - PETER V. ROJAS - Request for a Variance TO ALLOW A TEN-FOOT REAR YARD SETBACK WHERE TWENTY FEET IS THE MINIMUM SETBACK REQUIRED for a proposed building on property located on the north side of Searles Avenue, approximately 200 feet east of Eastern Avenue (APN: 139-25-101-018), C-2 (General Commercial) and R-4 (High Density Residential) Zones, [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL - APPROVED subject to conditions – UNANIMOUS with NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated this Variance has been requested in order to gain property at the front of the site. No evidence of a unique or extraordinary circumstance has been presented and the applicant has created a self-imposed hardship by tending to maximize the lot frontage of the site. The front yard setback is 320 feet from Searles Avenue. An alternative location of the 4,000 square foot building is feasible. That would allow construction in conformance to the Title 19 setback requirements without losing the applicant's desire to maximize the lot frontage and subsequently the on-site parking. Staff recommended denial.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 27 – VAR-1192

MINUTES – Continued:

DAN LEE and PETER ROJAS, 1791 North Lamont Street, appeared on behalf of the application. This site is currently undeveloped. The only access to the site is from Searles Avenue. Placing the building farther back on the site would provide for a wider turning radius. In addition, they could gain additional parking spaces. Adjacent to the rear of the site is an existing commercial development. The current setback is 10 feet. This would not impact that development.

TODD FARLOW, 240 North 19th Street, was primarily concerned about Item 28.

COMMISSIONER EVANS asked the reason for the setback request and the turning radius.

MR. LEOBOLD replied that staff feels the requirement for a Variance is self-imposed because they want to push the building back.

MR. LEE explained that the farther back the building is the wider the radius is for a truck to turn around. The strip mall behind this property has a 10-foot setback.

COMMISSIONER McSWAIN felt that because of the shape of the lot it should allow them some latitude and the fact that they are backing up to commercial property.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 26 [ZON-1189] and Item 28 [SDR-1190] for further discussion.

(8:22 – 8:34)

2-1700

CONDITIONS:

Planning and Development

A) Project Conditions:

None.

B) Standard Conditions:

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-1189) and Site Development Plan Review (SDR-1190).

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 27 – VAR-1192

CONDITIONS – Continued:

2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Conformance to the site plan as submitted.

Public Works

- A) Project Conditions:
None.
- B) Standard Conditions:
None.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SDR-1190 - PETER V. ROJAS - Request for a Site Development Plan Review FOR A PROPOSED CATERING SERVICE on 1.14 acres adjacent to the north side of Searles Avenue, approximately 200 feet east of Eastern Avenue (APN: 139-25-101-018), C-2 (General Commercial) and R-4 (High Density Residential) Zones, [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL - APPROVED subject to conditions – UNANIMOUS with NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated the site plan indicates direct gated access to this site from Searles Avenue, which is located approximately 200 feet east of Eastern Avenue. The proposed 4,000 square foot two story building is located in the northwest corner. A total of 56 parking spaces are provided, including 16 tandem parking spaces. No handicapped spaces are provided. The landscape plan depicts a 65 foot wide landscape planter along the Searles Avenue frontage and eight foot wide planters along the side and rear property lines. The building elevations depict a two-story stucco sand finish structure with parapet terra cotta type roof. Stone veneer is found at the base of the building to a height of 3' 6". Two deep tan colored

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 28 – SDR-1190

MINUTES – Continued:

rolled doorways access the warehouse area for catering supplies. The proposed site plan presents a functional and efficient layout, taking into consideration the shape of the site. A condition is recommended to comply with the setback requirements for the C-1 (Limited Commercial) zoning district, unless the related Variance application is approved. A loading space is recommended to meet Title 19 requirements and to provide handicapped parking in accordance with Section 19.10. A condition also recommends that all trees, shrubs and ground cover meet minimum standards as set forth in the zoning code. Staff recommended denial.

TODD FARLOW, 240 North 19th Street, asked if there is a drawing. On the east side are multi-family dwellings. He wondered where the trash dumpster will be placed. In addition, he wondered what the residents in the two-story housing development on the east will be looking at. The eastern part needs to be landscaped.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 26 [ZON-1189] and Item 27 [VAR-1192] for further discussion.
(8:22 – 8:34)
2-1700

CONDITIONS:

Planning and Development

A) Project Conditions:

1. A Rezoning (ZON-1189) to a C-1 (Limited Commercial) Zoning District and a Variance (VAR-1192) for the rear setback must be approved by the City Council.
2. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit to reflect: Building development that complies with setback standards for the C-1 Zoning District, unless the related Variance (VAR-1192) application is approved by City Council; provide one loading space to meet Section 19.10.045 requirements; and provide handicap parking in accordance with Section 19.10.010.G.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 28 – SDR-1190

CONDITIONS – Continued:

3. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees, shrubs, and groundcover in accordance with the Las Vegas Urban Design Guidelines and Standards.
4. The dumpster enclosure shall have six-foot tall walls, finished in the same manner as the main structure with a roof and solid metal gates as required by Title 19.08.045.G.
- B) Standard Conditions:
 5. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
 6. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.
 7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
 8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
 9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
 10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
 11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 28 – SDR-1190

CONDITIONS – Continued:

12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

C) Project Conditions:

None.

D) Standard Conditions:

15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. Site development to comply with all applicable conditions of approval for ZON-1189 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ZON-1193 - BUFFALO PFD LIMITED PARTNERSHIP, ET AL ON BEHALF OF KB HOME NEVADA INC. - Request for a Rezoning FROM: U (Undeveloped) Zone [L (Low-Density Residential) General Plan Designation] and U (Undeveloped) Zone [L (Low-Density Residential) General Plan Designation] under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units per Acre) TO: R-PD5 (Residential Planned Development - 5 Units per Acre) on 7.90 acres adjacent to the northwest corner of Buffalo Drive and Gilmore Avenue (APNs:138-09-501-017 & 031), PROPOSED USE:43-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Site Plan

MOTION:

QUINN - APPROVED subject to conditions with Conditions 3 and 4 deleted – **UNANIMOUS** with GALATI and McSWAIN abstaining as KB Home Nevada, Inc. is a client of their firms and NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 29 – ZON-1193

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, stated R-PD5 (Residential Planned Development – 5 Units per Acre) will allow a 43 lot single family subdivision on the 7.9 acre site. The site is designated as L (Low-Density Residential), which allows densities of up to 5.5 units per acre. The proposed R-PD5 district allows a density of up to 5.49 units per acre. This is part of a remnant strip of land along Buffalo Drive and Alexander Road that at one time had been under consideration for commercial development. This rezoning will allow the next phase of the Gold Rush residential project to continue and provide for an innovative infill solution on this narrow parcel. Conditions 3 and 4 are recommended to be deleted based on discussions between the applicant and Public Works' staff. Staff recommended approval subject to the remaining conditions.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent KB Home Nevada, Inc.

TODD FARLOW, 240 North 19th Street, appeared in protest. They are trying to get out of their commitment on the open space. This developer should be held to the minimum standards.

CHARLES MOLINARI, 3888 Quadrel Street, appeared in protest. At the last meeting he asked if a section of Constantinople Avenue was vacated. He wants a gate on Constantinople Avenue at the Quadrel Street end since it is a deadend street.

CHRIS KNIGHT, Planning and Development, added that the portion of Constantinople Avenue that MR. MOLINARI is referencing is in the County and vacated right-of-way. It would be the responsibility of the private property owners to gate that portion of Constantinople Avenue.

ATTORNEY GRONAUER felt that issue could be resolved prior to the City Council meeting. The reason why there is a legal hardship is that it is an infill piece of property and is long and narrow, which makes it difficult to develop residential. In addition, there is adequate open space located along Alexander Road and shared park space with a school. The neighbors like this because they will be adjacent to residential. There is an adequate buffer, but it limits the open space. There is 10,000 square feet of open space.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 29 – ZON-1193

MINUTES – Continued:

There was no further discussion.

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

NOTE: See related Item 30 [VAR-1195] and Item 31 [SDR-1196] for further discussion.
(8:53 – 9:16)
2-2197

CONDITIONS:

Planning and Development

A) Project Conditions:

None.

B) Standard Conditions:

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

C) Project Conditions:

None.

D) Standard Conditions:

3. If this Rezoning Application is approved by City Council, then Petition of Vacation VAC-10-02 shall be modified to reflect the revised width of Constantinople Avenue. Said Petition of Vacation shall record prior to the recordation of any Final Maps for this site.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 29 – ZON-1193

CONDITIONS – Continued:

4. Construct half-street improvements including appropriate overpaving on Constantinople Avenue and Gilmore Avenue. Additionally, if not already constructed by the Buffalo Special Improvements Districts #1480 and #1495 construct half-street improvements adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002

Planning & Development Department

Item 29 – ZON-1193

CONDITIONS – Continued:

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAR-1195 - - BUFFALO PFD LIMITED PARTNERSHIP, ET AL ON BEHALF OF KB HOME NEVADA INC. - Request for a Variance TO ALLOW NO OPEN SPACE WHERE 0.70 ACRES IS REQUIRED FOR A PROPOSED 43-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT adjacent to the northwest corner of Buffalo Drive and Gilmore Avenue, (APNs: 138-09-501-031 and 138-09-501-017) U (Undeveloped) Zone [L (Low-Density Residential) General Plan Designation] and (Undeveloped) Zone [L (Low-Density Residential) General Plan Designation] under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units per Acre) [PROPOSED:R-PD5 (Residential Planned Development - 5 Units per Acre) Zone], Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions – UNANIMOUS with GALATI and McSWAIN abstaining as KB Home Nevada, Inc. is a client of their firms and NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that this development does not provide the required amount of open space for an R-PD development of this density. The project contains only 31% of the open space required. Variances can only be supported where a hardship is not self-imposed or financial. In this case, the applicant can design the project to meet the open space requirement. The site is overbuilt with lots where open space could be provided. Staff recommended denial.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 30 – VAR-1195

MINUTES – Continued:

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent KB Home Nevada, Inc. This property is south of Alexander Road and fronts on Buffalo Drive. It is a long and narrow infill piece of property. There are some park sites nearby. A precedent has already been set with the Gold Rush development.

No one appeared in opposition.

There was no further discussion.

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

NOTE: See related Item 29 [ZON-1193] and Item 31 [SDR-1196] for further discussion.
(8:53 – 9:16)

2-2197

CONDITIONS:

Planning and Development

A) Project Conditions:

None.

B) Standard Conditions:

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-1193) and Site Development Plan Review (SDR-1196).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

Public Works

C) Project Conditions:

None.

D) Standard Conditions:

None.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SDR-1196 - - BUFFALO PFD LIMITED PARTNERSHIP, ET AL ON BEHALF OF KB HOME NEVADA INC. - Request for a Site Development Plan Review FOR A 43-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 7.9 acres adjacent to the northwest corner of Buffalo Drive and Gilmore Avenue (APNs: 138-09-501-031 and 138-09-501-017), U (Undeveloped) Zone [L (Low-Density Residential) General Plan Designation] and U (Undeveloped) Zone [L (Low-Density Residential) General Plan Designation] under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units per Acre) [PROPOSED: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions – UNANIMOUS with GALATI and McSWAIN abstaining as KB Home Nevada, Inc. is a client of their firms and NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated this site plan shows a proposed 43 lot single-family subdivision on the 7.9 acre site. The site plan of 5.44 units per acre is in conformance with the rezoning to R-PD5 (Residential Planned Development – 5 Units per Acre),

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 31 – SDR-1196

MINUTES – Continued:

which allows up to 5.49 units per acre. This development does not provide the required amount of open space for an R-PD development of this density. The site plan represents the eighth phase of the Gold Rush residential project, which is an infill project along this area. The site is bounded to the west by Clark County lands that are developed at rural densities. The applicant has worked with the adjacent land owners to design the subdivision to address their concerns by placing the internal street adjacent to the west property line, rather than placing lots along that boundary. It is recognized that if the companion Variance is denied, minor changes to the site plan to provide adequate open space would be necessary. Staff recommended approval subject to the conditions.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent KB Home Nevada, Inc. This property is south of Alexander Road and fronts on Buffalo Drive. The application is for a single-family subdivision for approximately 43 homes.

No one appeared in opposition.

There was no further discussion.

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

NOTE: See related Item 29 [ZON-1193] and Item 30 [VAR-1195] for further discussion.
(8:53 – 9:16)
2-2197

CONDITIONS:

Planning and Development

A) Project Conditions:

None.

B) Standard Conditions:

1. A Rezoning [ZON-1193] to an R-PD5 (Residential Planned Development - 5 Units per Acre) Zoning District approved by the City Council.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 31 – SDR-1196

CONDITIONS – Continued:

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 18 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 5 feet on the corner side, and 14 feet in the rear.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 31 – SDR-1196

CONDITIONS – Continued:

Public Works

C) Project Conditions:

13. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sewer from Alexander Road to Gilmore Avenue then to the west edge of this development in Gilmore Avenue to a depth and location acceptable to the City Engineer. Also provide a public stub for Constantinople Avenue. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
14. Site development to comply with all applicable conditions of approval for ZON-1193 and any other site-related actions.

D) Standard Conditions:

15. Approval of this site plan constitutes acceptance of the following Deviations of Standards for public streets:
 - a) Public street width of 37 feet from back of curb to back of curb.
 - b) Public sidewalk width of 4 feet on one side of the street only.
 - c) Cul-de-sac back-of-curb radii of 26 feet.
 - d) Non-standard “knuckle” radii on interior streets.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed street layout and on site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.
17. A Master Streetlight plan of public street lights for the overall subdivision shall be submitted and approved prior to the submittal of any construction drawings for this site.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 31 – SDR-1196

CONDITIONS – Continued:

18. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAR-1200 - SUNBELT ENTERPRISES - Request for a Variance TO ALLOW A 54 FOOT SIDE YARD SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 84 FEET FOR THE THREE-STORY PARKING GARAGE FOR A PROPOSED FIVE-STORY OFFICE/RETAIL BUILDING on 8.14 acres adjacent to the southwest corner of Rancho Drive and Ann Road (APN: 125-34-116-001), C-2 (General Commercial) Zone and R-E (Residence Estates) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

36

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUEDELL – WITHDRAWN WITHOUT PREJUDICE – UNANIMOUS with NIGRO excused

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated this Variance is to have a 54-foot side yard setback where Residential Adjacency Standards require 84 feet. There is a companion item on this agenda, which should be heard at this meeting, but the Variance is no longer necessary. The building has been moved and the project redesigned.

STEVE SWISHER, 7520 West Rome Boulevard, appeared on behalf of the applicant. They have reduced the building height and moved it so a Variance is no longer needed.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 32- VAR-1200

MINUTES – Continued:

JEROME SHANN, 7452 Desert Plain Court, said that prior to moving into this community he inquired about this land and was told nothing could be built on it without the approval of the residents of Painted Desert.

KIM KALLFELZ, 7608 Valley Green Drive, #101, felt the community was not properly noticed of this proposal.

CHAIRMAN GALATI declared the Public Hearing closed.

(6:16 – 6:20)

1-380

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SDR-1199 - SUNBELT ENTERPRISES - Request for a Site Development Plan Review FOR A FIVE-STORY OFFICE/RETAIL BUILDING on 8.14 acres adjacent to the southwest corner of Rancho Drive and Ann Road (APN: 125-34-116-001), C-2 (General Commercial) Zone and R-E (Residence Estates) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

51

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL - APPROVED subject to conditions and additional sentence at the end of Condition 16 as follows:

- *If compliance with the requirements of the approved Traffic Impact Analysis cannot be accomplished within the scope of the proposed development, and substantial changes are required in the opinion of the Traffic Engineer, this site plan shall be returned to the Planning Commission for reconsideration -*

Motion carried with GOYNES and QUINN voting NO and NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated this is an application for a 125,000 square foot five-story office building with a three tier 200 space parking garage structure and two pad

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 33 – SDR-1199

MINUTES – Continued:

sites, one with a 7,200 square foot restaurant and another with 5,820 square feet of retail space on the 8.1 acre site at the southwest corner of Ann Road and US95. The site is designated as GC (General Commercial), which allows for such office and retail uses. This site plan is in keeping with the existing zoning of C-2 (General Commercial) and R-E (Residence Estates) under a Resolution of Intent to C-2, which splits the site. The key issue on this project is the affect on the adjacent Painted Desert community to the west and south. Painted Mirage Road to the west provides the only vehicular access to that community and will provide access to this development. Access to Ann Road is not advisable due to the proximity of the US95 overpass and access ramp and major intervening drainage easement between this site and Ann Road. The traffic study, which will be a requirement, will identify the necessary traffic improvements at the Ann Road/Painted Mirage intersection as a result of this project in order to maintain traffic safety. The applicant has withdrawn a related Variance application by slightly redesigning the project to reduce the height of the parking garage sinking into the ground by three feet and increasing its distance from the southern boundary by seven feet to comply with Residential Adjacency Standards. This revised site plan provides more parking than the original plan and exceeds minimum standards. A Master Sign Plan would be necessary. Staff recommended approval subject to the conditions.

STEVE SWISHER, Swisher & Hall Architects, 7520 West Rome Boulevard, appeared in order to represent Sunbelt Enterprises, the developer and owner of this parcel. This site is in a hole from the freeway overpass. They met with the neighbors several times. It will be a Class A office building with retail. The design will include a sandstone base, solar green glass, and screening of mechanical equipment. The retail component was designed to incorporate sandstone and matching landscaping. The revision involves changing the parking structure. It is 21 feet in height from the base of the wall.

JOHAN ALISEO, 5277 Crooked Valley, appeared in protest. She lives in the Painted Desert community and uses the access street to enter her home. Traffic has to be seriously reviewed.

DOYLE MECHAN, 7449 Desert Flame Court, appeared in protest. This is a golf course community. This proposal is not compatible. To the south is residential, west is the clubhouse, east is the freeway and north is Town Center. Painted Mirage Road is the entrance to this building. This is going to create traffic problems. It will have an adverse impact on the surrounding area.

RAY BOLICIO, Painted Desert, appeared in protest. They would like to see this property developed, but is fearful this will create too much traffic. A five-story building is not compatible with the surrounding residential area.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 33 – SDR-1199

MINUTES – Continued:

CHRISTOPHER HILL, 7328 Painted Shadows Way, appeared in protest. Desert Mirage Road is their only access to Ann Road. He was concerned about the ingress/egress to the applicant's project.

KIM KALLFELZ, Painted Desert, 7608 Valley Green Drive, appeared in protest. This should be held in abeyance so the developer can meet with the residents of Painted Desert. She was concerned that this property would be overbuilt and would create too much additional traffic for the area. The residents would like to see the traffic study. Perhaps this property should be developed with multi-family units. She was concerned about the signage.

MR. LESHER, 7250 Diamond Canyon Lane, appeared in protest. There are only two story buildings in his subdivision. The traffic and noise will have a detrimental impact on the residential properties. He was concerned about the property values.

KEITH SCHWARTZTRAUBER, Painted Desert, 5425 La Patera Lane, appeared in protest. Most of the residents of Painted Desert have not had an opportunity to review this project. A high-rise, high-density project is incompatible with the area. This will have a detrimental affect on the property values. The traffic problems will be significant as a result of this proposal.

MARC McHUGH, 7255 Diamond Canyon Lane, appeared in protest. When he purchased his home he was told this property would be developed with commercial, but was not expecting a five-story office complex. It is too large and intrusive. No more retail is needed in the area.

RAE FOREDELLE, Painted Desert, 7290 Diamond Canyon Lane, appeared in protest. The traffic has increased tremendously in the area since April. Painted Mirage is a short road. She prefers a lower building.

TOM HIGGINS, Painted Desert, 5277 Drifting Sands Court, appeared in protest. He will be able to see this building from his home. This is the wrong location for this project.

JAMES MARTIN, Painted Desert, 7290 Diamond Canyon Lane, appeared in protest. The residents were not notified of this project in sufficient time to be able to get involved. It could have a significant impact on the residents' properties. This would create chaos at the Rancho Drive and Ann Road intersection.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 33 – SDR-1199

MINUTES – Continued:

BARBARA MARTIN, 7290 Diamond Canyon Lane, appeared in protest. She lives in a beautiful gated community and does not want it ruined.

JEROME SHANN, Desert Pine Court, appeared in protest. When he purchased his home four years ago he inquired about this property and was told the easement is controlled by the residents of Painted Desert and nothing will ever be built without Painted Desert's approval. He has a beautiful view of the mountains and this will ruin it.

RUTH KINDELL, 7270 Diamond Canyon Lane, appeared in protest. She has put her life's savings into her property. She agreed with the previous speakers.

ROBERT BIERKE, 7448 Desert Plain Court, appeared in protest. To make a right turn out of his area is very difficult.

TODD FARLOW, 240 North 19th Street, appeared in protest. It would make better sense to make this property part of the Painted Desert community.

TOM McGOWAN, Las Vegas resident, appeared in protest. The architectural design is superb. The community must be preserved.

STEVE SWISHER appeared in rebuttal. They will be doing a traffic study to mitigate the intersection. The basic capacity is there, but some mitigation needs to be done. They do not have any intention of putting in a convenience store. It is a freeway site.

BART ANDERSON, Public Works, noted that traffic studies have been done in the past, but are general when no specific use is identified.

COMMISSIONER McSWAIN wondered if the traffic study should have been done prior to the application being filed. BART ANDERSON responded that staff does not have the authority to require a traffic study prior to the application being submitted, but can require it prior to the issuance of building permits.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 33 – SDR-1199

MINUTES – Continued:

MR. SWISHER said there are issues of the timing of the lights at the intersection. The left turn median can be lengthened. In addition, they can provide additional right turn lanes off this property connecting to Ann Road. The traffic study may make recommendations as to what can be done. The developer has indicated he will do whatever needs to be done as a result of that study.

COMMISSIONER TRUESDELL commented that the Painted Desert community is very nice. This is an attractive development. He was not in favor of leaving this property vacant until the ideal development is proposed. This project can be an asset to the area. However, there are issues that need to be dealt with through the conditions.

CHAIRMAN GALATI added that this proposal is actually a less intense use than what could be developed in a C-2 (General Commercial) zone. Type of building will not cause any structural damage to the surrounding homes.

BART ANDERSON, Public Works, noted that this site has a number of challenging problems that will have to be addressed. In regard to the traffic, this project cannot make the traffic worse. If the traffic study requirements cannot be agreed upon between the applicant and staff, this will have to return to the Planning Commission.

COMMISSIONER TRUESDELL said he is very concerned about the traffic. This is an area where there has been a lot of growth.

MR. SWISHER said a traffic study can take from 45 days to three months. They will be looking at the engineering that the study will recommend. That will have to be done prior to obtaining any building permits. Once there is an engineered solution, he will present the site plan to the neighbors.

(9:16 – 10:27)
3-3390

CONDITIONS:

Planning and Development

A) Project Conditions:

None.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 33 – SDR-1199

CONDITIONS – Continued:

B) Standard Conditions:

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect adequate setbacks from the north and west property lines, the number and location of handicap spaces, the number, size and location of a sufficient number of loading spaces.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 33 – SDR-1199

CONDITIONS – Continued:

10. Any **property** line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A **fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply**, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

C) Project Conditions:

13. Site development to comply with all applicable conditions of approval for the Ann Road-U.S. 95 Commercial Park (Commercial Subdivision) and all other subsequent site-related actions.

D) Standard Conditions:

14. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 33 – SDR-1199

CONDITIONS – Continued:

16. Provide an update to the previously approved Traffic Impact Analysis or submit to the City of Las Vegas a new Traffic Impact Analysis to be approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAR-1182 - PARDEE CONSTRUCTION COMPANY ON BEHALF OF PARDEE HOMES - Request for a Variance TO ALLOW NO OPEN SPACE WHERE 1.37 ACRES IS REQUIRED FOR A PROPOSED 84-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT east of Tee Pee Lane, between Farm Road and Severance Lane (APNs: 125-18-702-001, 002 and 003 and 125-18-701-012, 013 and 014), L-TC (Low Density Residential-Town Center) General Plan Designation under Resolution of Intent to TC (Town Center), Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN - APPROVED subject to conditions – UNANIMOUS with NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated this application results from a companion request for a Special Use Permit to create private streets in a gated subdivision within the Centennial Hills Town Center area. Town Center regulations stipulate that when a gated development is to occur within Town Center that the development provide open space according to the formula that is used to calculate open space for R-PD developments. In this case, such a

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 34 - VAR-1182

MINUTES – Continued:

calculation would require 1.37 acres of open space. Variances can only be supported when the hardship in question is not self-imposed or financial in nature. This application was in progress at the time the above regulations regarding open space were being developed and approved. This applicant has agreed to pay a fee in lieu of open space equivalent of \$2,750 per gross acre and provide street trees. Any future phases of this project, if private and gated, will have to be held to the now approved Town Center standards that require open space to be provided within the project. Staff recommended approval subject to the conditions.

DIANA BOSSARD, Bossard Development Services, 2920 North Green Valley Parkway, appeared on behalf of Pardee Homes. There will be a homeowners association and it will maintain the roadways, the landscaping, and the common elements. However, the perimeter walls would be a responsibility of the individual homeowners.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 35 [SUP-1183] for further discussion.

(10: 27 – 10:38)

3-2430

CONDITIONS:

Planning and Development

A) Project Conditions:

1. The applicant shall contribute an “in-lieu of” fee in the amount of \$2,750 per gross acre, to offset the open space reduction, to the City of Las Vegas.

B) Standard Conditions:

2. Approval of and conformance to the Conditions of Approval for Rezonings (Z-0033-01 and Z-0034-01) for Site Development Plan Reviews [Z-0033-01 (1) and Z-0034-01(1)], and for Special Use Permit (SUP-1183).
3. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SUP-1183 - PARDEE CONSTRUCTION COMPANY ON BEHALF OF PARDEE HOMES - Request for a Special Use Permit for PRIVATE STREETS WITHIN A PROPOSED 84-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 20.3 acres east of Tee Pee Lane, between Farm Road and Severance Lane (APNs: 125-18-702-001, 002 and 003, and 125-18-701-012, 013 and 014), U (Undeveloped) Zone [L-TC (Low-Density Residential-Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center) Zone, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN - APPROVED subject to conditions with additional condition under Public Works:

- *A Homeowner's Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. All perimeter walls shall also be privately maintained, and the responsible parties shall be identified in the CC&Rs for this community -*

UNANIMOUS with NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 35 – SUP-1183

MINUTES – Continued:

GARY LEOBOLD, Planning and Development, stated this Special Use Permit will allow the applicant to develop an 84 lot subdivision on 20.3 acres as a gated development with private streets. Approval of this application will require the approval of the companion Variance application to waive the Town Center open space standards and allow on a one-time basis the payment of a cash in lieu fee equivalent of \$2,750 per acre. The Town Center standards will require a second gated connection to Farm Road to the north that will be developed within the next phase of this project immediately east of this site. He requested an additional condition that would state: *A Homeowner's Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. All perimeter walls shall also be privately maintained, and the responsible parties shall be identified in the CC&R's for this community.* Staff recommended approval subject to the conditions.

BART ANDERSON, Public Works, wanted it noted that someone has to maintain the perimeter walls, but the last sentence in that condition could be deleted.

TODD FARLOW, 240 North 19th Street, appeared in protest. The applicant should have to abide by the requirements.

COMMISSIONER EVANS asked where the \$2,750 per acre figure came from as he thought that was a minimal amount of money in lieu of open space. MR. LEOBOLD explained that the developer was developing an earlier subdivision west of this site and they wanted to develop that using the Town Center standards, which far exceeded what would be required in that area. That figure was negotiated to represent the appropriate contribution on that site, and since this site is adjacent, the same figure was felt to be appropriate.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 35 – SUP-1183

MINUTES – Continued:

CHRIS KNIGHT, Planning and Development, noted that the \$2,750 seems like a minimal amount of money, but that is based upon a calculation of so many dollars per acre and the service radius of the planned public parks in that area. It is a pro-rated amount and something that staff has looked at and decided not to use as a common practice. There are unique circumstances related to this development. When the Town Center residential standards were developed, Pardee Homes worked with staff on a very close basis because they were the ones that had the property and were trying to develop the subdivisions out there. At the time staff was negotiating with Pardee Homes, it was a requirement that there not be any gated communities in the Town Center area. As a result of some intervention by the Southern Nevada Homebuilders Association, gated communities were allowed by the City Council within Town Center. At that time, Pardee Homes had been planning to use the street standards, the landscape strip and the amenity zones within their subdivision according to public street standards. When the gated communities were added in, there was an opportunity presented to them and one of the provisions of adding a gated community was to meet the open space requirements. Staff compromised with Pardee Homes. COMMISSIONER McSWAIN asked if the maintenance of the walls will be in the CC&R's.

MS. BOSSARD assumed that would be the case.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 34 [VAR-1182] for further discussion.

(10: 27 – 10:38)

3-2430

CONDITIONS:

Planning and Development

A) Project Conditions:

1. The site plan shall be integrated into future phases of the development such that two or more active entry gates, as required by the Town Center Development Standards Manual, are provided for the overall development. The final total number of gates shall be determined by the Planning and Development Department in consultation with the Public Works Department.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 35 – SUP-1183

CONDITIONS – Continued:

B) Standard Conditions:

2. Conformance to all Minimum Requirements under Title 19A.04.050 for Private Streets.
3. Approval of and conformance to the Conditions of Approval for Rezoning Z-0034-01 and Z-0034-01, Site Development Plan Reviews Z-0033-01(1) and Z-0034-01(1), and Variance VAR-1182.
4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. Consideration must be given to previously approved grading plans and drainage studies, where such plans exist, to assure minimum impact to existing and future developments in the surrounding area.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAR-1191 - JEFF LYTLE - Request for a Variance TO ALLOW A 25-FOOT FRONT YARD SETBACK WHERE 50-FEET IS REQUIRED FOR A PROPOSED SINGLE FAMILY HOME adjacent to the southeast corner of Helen Avenue and Dimick Avenue,(APN:138-01-403-001) R-E (Residential Estates) Zone, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN - APPROVED subject to conditions – Motion carried with EVANS voting NO and NIGRO excused

This is final action.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated the applicant proposes to place a single family dwelling 25 feet from the front lot line on Dimick Avenue where 50 feet is the minimum front yard setback in the R-E district. This is a corner lot. Even if the front yard was measured from the other flank at Helen Avenue, the 44 foot distance proposed would still be deficient. This Variance request is self-imposed to maximize the rear yard area for equestrian activities. The home could be relocated on the lot to meet the required setback. Staff recommended denial.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 36 – VAR-1191

MINUTES – Continued:

JEFF LYTLE, 3638 Anya Way, North Las Vegas, said he owns the vacant lot at Helen Avenue and Dimick Avenue and would like the setback in the front to be changed from 50 feet to 25 feet. The address of this property is off Helen Avenue. The front of the lot is the smaller end, or the side off Dimick Avenue. With the setback changed to 25 feet, it would be consistent with the surrounding area. None of his neighbors have a problem with this setback request.

No one appeared in opposition.

COMMISSIONER McSWAIN thought that if this property were measured from the middle of the street, it would be 50 feet. This does not drastically deviate from what is intended.

CHRIS KNIGHT, Planning and Development, noted that when dedicating right-of-way when property is subdivided that the property line moves. It is not measured from the middle of the right- of-way line, but from the right-of-way line itself.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(10:38 - 10:44)

3-3000

CONDITIONS:

Planning and Development

A) Project Conditions:

None

B) Standard Conditions

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-1191)
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 36 – VAR-1191

CONDITIONS – Continued:

Public Works

C) Project Conditions:

None

D) Standard Conditions:

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAR-1204 - KENT SCOW - Request for a Variance TO ALLOW A DETACHED ACCESSORY STRUCTURE ONE FOOT SIX INCHES FROM THE REAR PROPERTY LINE WHERE THREE FEET IS REQUIRED AND SEVEN FEET FROM THE CORNER SIDE PROPERTY LINE WHERE FIFTEEN FEET IS REQUIRED on 0.16 acres located at 1201 Ralph Circle (APN: 139-26-610-003), R-1 (Single Family Residential) Zone, Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Letters In Approval

MOTION:

McSWAIN - APPROVED subject to conditions and additional condition as follows:

- *The applicant shall be required to obtain a Building Permit for the structure and meet all requirements as identified by the Department of Building and Safety -*

Motion carried with EVANS and GOYNES voting NO and NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated the applicant has built a detached shed 1.5 feet from the rear lot line where 3.0 feet minimum is required and 7.0 feet from the side lot line where 15.0 feet from the corner is required. This request is self-imposed and the shed can be relocated on the lot to meet the required setbacks. The proximity to the rear lot line may be contrary to Uniform Building Code requirements unless adequate fire separation is included in the construction. Staff recommended denial.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 37 – VAR-1204

MINUTES – Continued:

KENT SCOW, 1201 Ralph Circle, said he has received approval from three of his closest neighbors. The shed is on the outside of a curve and no detriment to the street. Once the shed is completed, he plans to take the block wall that is on the side yard of his neighbor to the south and raise it to six feet and go around the outside of the shed to where it equals the side of his house. A different shed had been on the property when he purchased it four years ago.

TODD FARLOW, 240 North 19th Street, appeared in protest. Persons should obtain their permits before they start building or be made to dispose of their sheds.

TOM McGOWAN, Las Vegas resident, appeared in protest. He asked the distance from the shed to the main building and the contents in the shed. MR. SCOW answered that the distance is 11.0 feet and the shed will be used for storage.

COMMISSIONER GOYNES felt the applicant should start over and approach the City first to see if this would meet the requirements.

CHAIRMAN GALATI felt there should be a condition requiring the applicant to obtain a building permit. The wall closest to the property line will have to meet fire requirements. He declared the Public Hearing closed.

(10:44 – 10:54)
3-3300

CONDITIONS:

Planning and Development

A) Project Conditions:

None

B) Standard Conditions:

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SUP-1170 - CHARLES RUTHE AND WILLIAM BOYD ON BEHALF OF MONA COMPANY DEVELOPMENT, LIMITED LIABILITY COMPANY
- Request for a Special Use Permit FOR A 360-UNIT RESIDENTIAL MOTEL adjacent to the southeast corner of Rancho Drive and Coran Lane (APN: 139-19-705-001), C-2 (General Commercial) Zone, Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUEDELL – ABEYANCE of Item 38 [SUP-1170] and Item 39 [SDR-1169] to the 2/13/2002 Planning Commission meeting – UNANIMOUS with NIGRO excused

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the applicant has requested Item 38 [SUP-1170] and Item 39 [SDR-1169] be held to the 2/13/2003 Planning Commission meeting in order to work on the design.

JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the applicant. She requested this item be held in abeyance to the 2/13/2003 Planning Commission meeting.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 38 – SUP-1170

MINUTES – Continued:

DOROTHY BRIER, 3453 Anderson Lane, said the neighbors have noticed a residential motel is going to be built on this property. She wants to be noticed of any future meetings.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 38 [SUP-1170] and Item 39 [SDR-1169] was held under Item 38 [SUP-1170].

(6:22 – 6:24)

1-580

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SDR-1169 - CHARLES RUTHE AND WILLIAM BOYD ON BEHALF OF MONA COMPANY DEVELOPMENT, INC. - Request for a Site Development Plan Review FOR A 360-UNIT RESIDENTIAL MOTEL adjacent to the southeast corner of Rancho Drive and Coran Lane (APN: 139-19-705-001),C-2 (General Commercial) Zone, Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUEDELL – ABEYANCE of Item 38 [SUP-1170] and Item 39 [SDR-1169] to the 2/13/2002 Planning Commission meeting – UNANIMOUS with NIGRO excused

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the applicant has requested Item 38 [SUP-1170] and Item 39 [SDR-1169] be held to the 2/13/2003 Planning Commission meeting in order to work on the design.

JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the applicant.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 39 – SDR-1169

MINUTES – Continued:

DOROTHY BRIER, 3453 Anderson Lane, appeared.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: All discussion for Item 38 [SUP-1170] and Item 39 [SDR-1169] was held under Item 38 [SUP-1170].

(6:22 – 6:24)
1-580

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SUP-1144 - ARAM AND ARPY KOUTNOUYAN ARMENIAN REVOCABLE LIVING TRUST ON BEHALF OF NEGESSE GASHAW - Request for a Special Use Permit FOR A GENERAL BUSINESS-RELATED GAMING ESTABLISHMENT (Restricted Gaming; Limited to 4-slot Machines) Located at 4425 E. Stewart Avenue Suites 11,12,13 & 14 (APN:140-32-201-001),C-1 (Limited Commercial) Zone, Ward 3 (Reese).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS - APPROVED subject to conditions – UNANIMOUS with NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated this Special Use Permit will allow the applicant to place up to four slot machines within an existing 3,000 square foot market in a small shopping center on Stewart Avenue east of Lamb Boulevard. This site is zoned C-1 (Limited Commercial), which allows the requested use class through the approval of this Special Use Permit. Placement of up to four machines within the existing market is a relatively minor change that is not anticipated to have a negative affect on the other uses in the area. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 40 – SUP-1144

MINUTES – Continued:

DAVE EDER, Nevada Gaming Application consultant, 777 Quartz Avenue, Sandy Valley, Nevada appeared on behalf of the applicant. He concurred with staff's conditions.

TODD FARLOW, 240 North 19th Street, appeared in approval. The market will be expanded. He requested adequate ventilation over the slot area.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(10:54 – 10:55)

3-3900

CONDITIONS:

Planning and Development

A) Project Conditions:

None.

B) Standard Conditions:

1. Conformance to all Minimum Requirements under Title 6 for a General Business Related Gaming Establishment use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

C) Project Conditions:

None.

D) Standard Conditions:

None.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SUP-1146 - ARTS FACTORY LIMITED LIABILITY COMPANY ON BEHALF OF TINOCO'S BISTRO - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR located at 103 East Charleston Boulevard (APN: 139-33-811-017), C-2 (General Commercial) Zone, Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

3

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions with Conditions 1 and 2 amended as follows:

1. *This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.*
2. *All City Code requirements and design standards of all City departments must be satisfied*

– **UNANIMOUS** with **TRUESDELL** abstaining as he has an interest in property in the notification area and **NIGRO** excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

MARGO WHEELER, Planning and Development, stated this request is for an interior remodel of the existing Arts Factory building whereby they wish to take 25,000 square feet and convert that into a restaurant service bar. It will facilitate Tinoco's East Bistro moving into this location. At this time there is no expansion of the square footage and there is no signage planned for the

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 41 – SUP-1146

MINUTES – Continued:

outside, which will follow at a later date. She requested the two conditions be replaced as follows: *This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.* The second condition is: *All City Code requirements and design standards of all City departments must be satisfied.* Staff recommended approval subject to the conditions.

Owner of Arts Factory, 107 East Charleston Boulevard, clarified that the bistro portion is 1,100 square feet and not 25,000 square feet and the seating portion is only 700 square feet. This is positive for the Arts District. He concurred with the conditions. He was unsure when the restaurant will be opening.

TOM McGOWAN, Las Vegas resident, appeared in approval. Tinoco's Bistro is widely recognized for its cuisine. The addition of a service bar would enhance the dining experience, as well as the arts community. The management of the Arts Factory is an exemplary model of professionally qualified experience and expertise. Tinoco's Bistro and the Arts Factory are compatible.

DICK GEYER, 8260 Hilton Head Court, appeared in approval. He has worked with the owner of the Gateway Arts Association seeking to develop the area. They are trying to attract individuals from other parts of the valley so the area can flourish. The neighbors are looking forward to the completion of this restaurant.

TODD FARLOW, 240 North 19th Street, appeared in approval. This restaurant and service bar will fit perfectly on this site.

COMMISSIONER EVANS felt this restaurant will be the catalyst to make this Arts District viable. This will be an exceptional community in the future.

CHAIRMAN GALATI declared the Public Hearing closed.

(10:55 – 11:05)

4-140

CONDITIONS:

Planning and Development

A) Standard Conditions:

1. Approval of this Special Use Permit shall be for a period of two years.

PLANNING COMMISSION MEETING OF DECEMBER 19, 2002
Planning & Development Department
Item 41 – SUP-1146

CONDITIONS – Continued:

2. A site development plan shall be approved by the City of Las Vegas prior to the issuance of a certificate of occupancy for this use.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SUP-1164 - BOCA PARK PARCELS, LIMITED LIABILITY COMPANY ON BEHALF OF HIGCO - Request for a Special Use Permit FOR A TAVERN AND A WAIVER OF THE 1500 FOOT SEPARATION RADIUS REQUIREMENT BETWEEN TAVERNS, located at 8820 W. Charleston Blvd. (APN: 138-32-412-027), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 2 (L. B. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN - APPROVED subject to conditions with Condition 1 deleted – Motion carried with GALATI voting NO and TRUESDELL abstaining as HIGCO is a client of his firm and NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated this Special Use Permit will allow the applicant to develop a 4,312 square foot tavern in the Boca Park Commercial Center site. The applicant has also requested a waiver of the 1,500 foot minimum separation distance requirement from sensitive uses or from another tavern if separated by a 100 foot wide roadway. The overall Boca Park site contains a mix of restaurant and commercial uses as part of a significant

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002

Planning & Development Department

Item 42 – SUP-1164

MINUTES – Continued:

concentration of commercial and entertainment activity at the Rampart/Charleston intersection. The proposal is compatible with the SC (Service Commercial) land use on the site and the C-1 (Limited Commercial) on the site. It is in character with the uses on this and other commercial sites in the area. A waiver has been requested as this site is within 1,500 feet of the Emerald Gardens property to the west of Rampart Boulevard and is approximately 960 feet from an existing tavern operation at the southeast corner of Charleston Boulevard and Merialdo Street. As Charleston Boulevard and Rampart Boulevard meet the 100-foot wide standard, it is necessary to apply the waiver. This project is one of three uses that would be located on Pad J within the Boca Park project. Since there is insufficient parking in Pad J to serve the uses in Pad J, there is a need for a parking study to identify sufficient on-site parking within the Boca Park site. Subsequently, the applicant has provided a copy of the Boca Park development agreement in which adequate parking for these uses is guaranteed elsewhere on the overall site. As a result, Condition 1 can be deleted. Staff recommended approval subject to the conditions.

ATTORNEY RUSSELL ROWE, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared in order to represent the applicant. This is compatible for this center.

BOB PECCOLE, President of 1,700 acres being developed across from this property, appeared in protest. He is also President of the corporation that owns the tavern that is within 900 feet of this proposal. He requested the Planning Commission to follow the law. A new ordinance states that the City Council can require a minimum separation between liquor establishments and a minimum separation between liquor establishments/taverns. That ordinance is for the public health, safety and welfare of the City. In Municipal Code 19.04.050, Paragraph A, Sub 4, it states the following requirements are minimum standards that must be satisfied unless it can be shown by convincing and substantial evidence by the applicant that any waiver of these requirements will not compromise the objective of the City in safeguarding the interests of the citizens of the City. Therefore, the City Council has made the applicant prove by convincing and substantial evidence that they are entitled to a waiver regarding a Special Use Permit. He did not feel that evidence has been presented. The only argument is an existing 100-foot street between an existing tavern and a newly proposed tavern. There is not enough parking on this parcel and it does not meet the requirements for the full pad. This will take away the customers from the existing establishments.

TODD FARLOW, 240 North 19th Street, appeared in approval. He asked if there is a 100-foot wide street that would be judged as a wide enough separation. CHRIS KNIGHT, Planning and Development, said that requirement is for liquor sales. The ordinance that was referenced borrows from that concept and uses it for taverns.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 42 – SUP-1164

MINUTES – Continued:

ROB PECCOLE, 8238 West Charleston Boulevard, appeared in protest. He pointed out that waiver requests are just loopholes for the 1,500 foot rule. He felt HIGCO will soon want gaming machines. There are enough taverns in the area. He may be applying for the same use if this is approved. He did not receive any notice of this agenda item and he has several properties in the area.

ATTORNEY ROWE appeared in rebuttal. The protestants have restaurant taverns in the area. The idea behind the waiver is to give the City the flexibility to allow taverns to go where they most belong, which is in the intense commercial areas. He felt MR. PECCOLE was not quoting the proper part of the ordinance as it applies to this application.

COMMISSIONER McSWAIN thought the reason for subdivisions is that there are not individual parcels, but shared parking.

ATTORNEY ROWE added that they submitted a copy of the reciprocal cross access agreement that is on the Boca Park development as evidence that shared parking can be approved for this development.

ROB PECCOLE clarified that in addition to the reciprocal cross access agreement the applicant has to meet the parking requirements for this use.

CHAIRMAN GALATI asked if the parking has to be on the site or if an agreement would suffice. MR. LEOBOLD replied that there is flexibility.

ATTORNEY ROWE explained that the new tavern ordinance has separate provisions. One provision deals with parcels created within a commercial subdivision. That is measured from the property line of the record of survey parcel to the other tavern, not from the outer ring of the commercial subdivision. The ordinance says there has to be access to a 100-foot right-of-way and all the parking on-site. There is another provision separate from the commercial subdivision portion that says an applicant can apply for a waiver of the distance limitation if there is a 100-foot right-of-way separation. An applicant can have shared parking as part of the subdivision in which their project is located.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 42 – SUP-1164

MINUTES – Continued:

COMMISSIONER McSWAIN felt this proposal is in an area that seems to be conducive to support this type of use. The public's safety and welfare will not be compromised by this project.

DEPUTY CITY ATTORNEY BRYAN SCOTT said he does not have the ordinance at the meeting. However, there is discretion in regard to the waiver if it is felt that the applicant has provided sufficient evidence to support it.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(11:05 – 11:38)

4-450

CONDITIONS:

Planning and Development

A) Project Conditions:

1. That a parking study for the overall Boca Park commercial center be submitted that shows that adequate parking is available for all Pad "J" uses and the other existing and future uses for the overall site.

B) Standard Conditions:

2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
4. Conformance to all Minimum Requirements under Title 19.04.050 for a "Liquor Establishment (Tavern)" use.
5. Approval of and conformance to the Conditions of Approval for Rezoning Z-0030-92 and Site Development Plan Review Z-0030-92(25).

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 42 – SUP-1164

CONDITIONS – Continued:

6. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

- C) Project Conditions:

None.

- D) Standard Conditions:

None.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SUP-1174 - CATHOLIC CHARITIES OF SOUTHERN NEVADA
- Request for a Special Use Permit FOR A SECOND HAND DEALER (THRIFT SHOP) on property located at 1560 North Main Street (APN:139-27-503-006), C-2 (General Commercial) Zone, Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

QUINN – WITHDRAWN WITHOUT PREJUDICE – UNANIMOUS with GALATI abstaining as Catholic Charities of Southern Nevada is a client of his firm and NIGRO excused

This is final action.

MINUTES:

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the applicant has requested this item be Withdrawn Without Prejudice. Staff has received the withdrawal request in writing.

No one appeared to represent the application.

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

(6:24 – 6:25)

1-660

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - SUP-1186 - BOB STUPAK ON BEHALF OF SANDY BLUMEN AND NICOLE JENSEN - Request for a Special Use Permit FOR A SECONDHAND DEALER (USED CLOTHING AND ACCESSORIES) located at 2029 Paradise Road (APN:162-03-413-011), C-1 (Limited Commercial) Zone Ward 3 (Reese).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

QUINN - APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as he owns property in the area and NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated a secondhand dealership use is allowed in a C-1 (Limited Commercial) district with the approval of a Special Use Permit. There cannot be any outdoor display, sales or storage of merchandise. The proposed secondhand dealership use will be established on an existing commercial site in conjunction with an existing boutique store. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 44 – SUP-1186

MINUTES – Continued:

SANDRA BLUMEN, 3333 Palma Del Sol Way, appeared on behalf of the application. She concurred with staff's conditions.

TOM McGOWAN, Las Vegas resident, appeared in approval. A non-gaming retail/commercial venue is needed in this vicinity. It should assist in reducing drug activity in the area.

TODD FARLOW, 240 North 19th Street, appeared in approval. The landscaping needs to be enhanced.

COMMISSIONER EVANS asked what kind of clothing will be sold.

MS. BLUMEN replied that it is good clothing, not comparable to a thrift store. The building will be enhanced to attract the customers.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.
(11:38 – 11:42)
4-1630

CONDITIONS:

Planning and Development

A) Project Conditions:

None.

B) Standard Conditions:

1. Conformance to all Minimum Requirements under Title 19.04.050 for Thrift Shop use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0025-67).
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 44 – SUP-1186

CONDITIONS – Continued:

4. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

- C) Project Conditions:

None

- D) Standard Conditions:

None

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ROC-1142 - CORNADO BAY/SAHARA LIMITED LIABILITY COMPANY - Request for a Review of Condition of an Approved Site Development Plan Review [Z-0038-02(1)] for condition #4, WHICH REQUIRED A THREE FOOT BERM at 7872 West Sahara Avenue (APN: 163-04-806-001), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to O (Office) Zone, Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS - APPROVED subject to conditions with Conditions 3 and 4 deleted – **UNANIMOUS** with GALATI, McSWAIN and QUINN abstaining as this applicant is a client of their firms and NIGRO excused

To be heard by the City Council on 1/8/2003.

MINUTES:

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated this site had been previously approved for a proposed office complex. The applicant is requesting relief of Condition 4 on Z-0038-02(1) which required a three foot high berm in the landscape area along Via Olivero Avenue at the rear of the site. The applicant proposes to match the landscaping along Via Olivero Avenue for the sites that abut the property, which contain landscaping, but no berm. This request is for the deletion of the berm only. Public Works has suggested that Condition 3 on this Review of Condition be deleted as well. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 45 – ROC-1142

MINUTES – Continued:

JAMES FINCH, 2319 Western Avenue, Suite A, appeared on behalf of the applicant. He was of the understanding that Conditions 3 and 4 would be deleted.

TOM McGOWAN, Las Vegas resident, was concerned as to whether there would be enough Commissioners to vote on this item. DEPUTY CITY ATTORNEY BRYAN SCOTT explained that those members abstaining are counted as part of the quorum.

There was no further discussion.

VICE CHAIRMAN TRUESDELL declared the Public Hearing closed.

(11:42 – 11:47)

4-1800

CONDITIONS:

Planning and Development

A) Project Conditions:

1. Condition Number 4 of the Site Development Plan Review imposed at the time of approval of the City Council on August 7, 2000 shall be amended to read as follows: “The landscape plan shall to be approved by the Planning and Development Department staff prior to the time application is made for a building permit shall reflect a minimum 13 foot wide landscape planter along the north property line and install 36 inch box trees 25 feet on center with shrubs and ground cover.”
2. The slope and grade of the landscape planter area shall be consistent with the landscaping to the properties to the west and east of the site.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 45 – ROC-1142

CONDITIONS – Continued:

Public Works

- B) Project Conditions:
3. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
 4. Site development to comply with all applicable conditions of approval for Z-0038-02 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - MSP-1194 - HEYER LIVING TRUST 1996 ON BEHALF OF TERRIBLE HERBST - Request for a Master Sign Plan FOR A PROPOSED CONVENIENCE STORE, GAS CANOPY AND CAR WASH on 4.65 acres located at 2401 West Bonanza Road (APN: 139-29-801-004), C-2 (General Commercial) Zone, Ward 5 (Weekly).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – NO RECOMMENDATION – Motion for APPROVAL subject to conditions did not carry with GALATI and McSWAIN voting NO and NIGRO and QUINN excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated the elevations depict typical signage for the Terrible Herbst convenience store, gas station and car wash. Much of the signage is in accordance with the City of Las Vegas Zoning Ordinance, Title 19, with a few exceptions. One exception is the 80-foot tall double-faced freestanding ground sign with a 540 square foot reader board with two 105 square foot, 7' x 15' foot advertising panels, a 100-foot tall flagpole, and a maximum area of wall signs on the convenience store. All proposed signs, including the 100-foot flagpole, are appropriate for the area with the exception of the 80-foot tall freestanding ground sign. A condition is recommended to limit the height to 60 feet, reduce the overall size of the figure on the sign by 25% and eliminate the reader board and advertising panels. Off-premise advertising on this sign should not be permitted.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 46 – MSP-1194

MINUTES – Continued:

With respect to the existing commercial center signage, that includes four freestanding ground signs ranging in height from 25 feet to 40 feet and an assortment of existing wall signs throughout the center. The accompanying site plan and sign analysis table in the Staff Report addresses the existing on-site signage for the entire commercial center. Upon a site inspection, banner signs and other temporary signs are being utilized for the existing commercial center. A condition is recommended that all non-permitted permanent and temporary signs obtain proper permits. Also, a condition is recommended to remove any vacant signs within one year from the date of approval by the City Council or obtain sign permits. Staff recommended approval subject to the conditions.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared in order to represent Terrible Herbst. This is a Master Sign Plan. This property was previously the site for Squeaky's Car Wash. He objected to reducing the Terrible Herbst figure as requested in Condition 1 because it is creative, 80 feet in height is advantageous when adjacent to a freeway, and no different than some other commercial centers in the valley that have animated signage.

TOM McGOWAN, Las Vegas resident, appeared and thought the average flagpole is 40 feet high. He wondered about the square footage of the flag and the verbiage on the sign.

TODD FARLOW, 240 North 19th Street, appeared in approval. He likes the high sign.

COMMISSIONER McSWAIN asked if this flagpole could also be used as a cell tower. ATTORNEY GRONAUER thought that would be an option.

COMMISSIONER McSWAIN said she appreciates the creativity of the sign. She asked if the sign is reduced by 25% whether it will meet the allowed 400 square foot maximum. MR. LEOBOLD clarified that staff is recommending the height be reduced from 80 feet to 60 feet and that the overall size of the figure be reduced by 25%, elimination of the reader board and advertising panels, and off-premise advertising not be allowed on the sign. Products advertised on the sign should be sold on-site.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 46 – MSP-1194

MINUTES – Continued:

COMMISSIONER McSWAIN asked if the sign is to be reviewed by its square foot dimensions, including Mr. Terrible and his hat and upper body, or just the reader board and advertisement in terms of the square footage. DAVID CLAPSADDLE, Planning and Development, responded that staff's concern is of the scale. An 80-foot high sign could have a detrimental impact on the residential properties in the area.

ATTORNEY GRONAUER added that this sign would be oriented toward US95 and there is a billboard sign within approximately 200 feet. The Nevada Department of Transportation will not issue an off-premise state permit for off-premise advertising. The square footage of the sign includes the entire Terrible Herbst figure and reader board.

COMMISSIONER GOYNES feels this sign is creative and a symbol of what Terrible Herbst has been doing in the valley.

CHAIRMAN GALATI feels this is Strip signage.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(11:47 – 12:05)

4-2000

CONDITIONS:

Planning and Development

A) Project Conditions:

1. The sign elevation for the Terrible Herbst figure shall be revised and submitted for approval by Planning and Development Department staff prior to the issuance of a Certificate of Occupancy for any new building on the site. The sign shall be limited to sixty feet in height, reduce the overall size of the figure by 25%, eliminate the reader board and advertising panels.
2. No off-premise advertising is permitted.
3. All freestanding signs shall meet setback standards in Title 19.14.040(F), which requires minimum setbacks of five feet from the property line (including any overhang).

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 46 – MSP-1194

CONDITIONS – Continued:

4. Any and all vacant signs shall be removed within one year of the date of approval by City Council. All vacant signs shall be required to obtain permits for any new sign cabinets.
5. All existing non-permitted signs shall obtain sign permits through the Building and Safety Department.
6. Address numbers shall be provided as required by the Planning and Development Department.
7. No temporary signage shall be allowed on the entire site without the approval of a Temporary Sign Permit from the Planning and Development Department.
8. All signage shall have proper permits obtained through the Building and Safety Department.
9. Any changes or alteration to this Master Sign Plan shall require an application for a new Master Sign Plan.

B) Standard Conditions:

None

Public Works

B) Project Conditions:

10. Site development to comply with all applicable conditions of approval for Z-58-66(3), the approved Traffic Impact Analysis, and all other site-related actions.
11. Signs shall not be located within existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

C) Standard Conditions:

None

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAC-1147 PN II, INCORPORATED ON BEHALF OF PULTE HOMES - Petition to vacate Public Utility, Sewer, Ingress and Egress Easements generally located west of Broad Peak Drive and north of Mountain Spa Drive, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS - APPROVED subject to conditions with Condition 1 amended as follows:

- *A new public sewer line shall be constructed within the alignment of the new design and new easements granted at a location acceptable to the City Engineer -*

UNANIMOUS with NIGRO and QUINN excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated these easements are no longer required by the redesign of Silverstone Ranch, which includes the relocation of certain utilities. This Vacation is to vacate certain easements no longer required by the new design and will not affect the overall development of the site. Staff recommended approval, subject to the conditions.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 47 – VAC-1147

MINUTES – Continued:

VALERIE POWERS, Stantec Consulting, 7251 West Charleston Boulevard, appeared on behalf of the applicant. She requested Condition 1 to read as follows: *A new public sewer line shall be constructed within the alignment of the new design and new easements granted at a location acceptable to the City Engineer.*

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

(12:05 – 12:07)

4-2860

CONDITIONS:

1. Prior to the recordation of this Petition of Vacation, a new public sewer line shall be constructed and new easements granted at a location acceptable to the City Engineer.
2. This Vacation shall be amended to include public sewer and public drainage easements as required by the Department of Public Works.
3. Site development to comply with all applicable conditions of approval for Z-75-91, the Mountain Spa Master Development Plan, the Silverstone Ranch Master Development Plan, and all other subsequent site-related actions.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. All development shall be in conformance with code requirements and design standards of all City departments.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 47 – VAC-1147

CONDITIONS – Continued:

6. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAC-1185 - MONTECITO TOWN CENTER LIMITED LIABILITY COMPANY - Petition to vacate a portion of Bath Avenue located between Riley Avenue and Durango Drive, a portion of Rome Boulevard located between Riley Avenue and Durango Drive, and a portion of Bonita Vista Street located between Bath Avenue and Rome Boulevard, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES - APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining as the applicant on Item 50 is a client of his firm and NIGRO and QUINN excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, said the applicant's justification letter states that this application is requested to accommodate the frontage road through the Town Center development. Certain portions of Bath Avenue, Bonita Vista Street and Rome Boulevard are currently not used for access to any occupied parcels and will be incorporated into the future development of the Montecito Town Center. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 48 – VAC-1185

MINUTES – Continued:

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared with MATT WARNER in order to represent the applicant. ATTORNEY FIORENTINO said these are Vacations that were contemplated by the development agreement for Montecito. He concurred with staff's conditions.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 49 [VAC-1187] and Item 50 [VAC-1188] for further discussion.
(12:07 – 12:12)

4-3000

CONDITIONS:

1. Legal access to all existing and/or proposed parcels, adjacent to the vacated area, must be provided or maintained. The Order of Vacation shall not record until all parcel access issues have been resolved.
2. Provide a plan acceptable to the City and the owner of Assessor's Parcel Number 125-20-803-003, adjacent to Rome Boulevard to the south, showing how legal access will be preserved or provided prior to the recordation of an Order of Vacation. Any additional rights-of-way necessary to provide such access must be dedicated prior to recordation of an Order of Vacation for this action.
3. Provide all necessary dedications for the re-aligned Durango Drive (aka Town Center Loop Road), and Deer Springs Way prior to recordation of the Order of Vacation.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002

Planning & Development Department

Item 48 – VAC-1185

CONDITIONS – Continued:

4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
5. The Town Center Development Standards Manual, Map Four A, entitled Town Center Street Classifications, shall be amended to reflect the removal of the subject portions of rights-of-ways.
6. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required
8. All development shall be in conformance with code requirements and design standards of all City departments.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 48 – VAC-1185

CONDITIONS – Continued:

9. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #6 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
10. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAC-1187 - MONTECITO TOWN CENTER LIMITED LIABILITY COMPANY - Petition to vacate a portion of Durango Drive located between Deer Springs Way and Centennial Parkway, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES - APPROVED subject to conditions – **UNANIMOUS** with **TRUESDELL** abstaining as the applicant on Item 50 is a client of his firm and **NIGRO** and **QUINN** excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, said the subject portion of the Durango Drive public right-of-way is currently constructed as a half street. This request is related to the realignment of Durango Drive, which is dictated by the future development of the Montecito Town Center. Public Works is requesting this application be amended to vacate only the western portion of Durango Drive, which is the unimproved portion of the roadway. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 49 – VAC-1187

MINUTES – Continued:

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared with MATT WARNER in order to represent the applicant. ATTORNEY FIORENTINO said these are Vacations that were contemplated by the development agreement for Montecito. He concurred with staff's conditions.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 48 [VAC-1185] and Item 50 [VAC-1188] for further discussion.
(12:07 – 12:12)

4-3000

CONDITIONS:

1. The limits of this vacation shall be revised to vacate only the western half of Durango Drive from Deer Springs Way to Rome Boulevard. No portion of Durango Drive south of the Darling Road alignment shall be vacated with this action. Staff is authorized to modify the exact limits of this vacation application to accommodate technical issues.
2. Provide all necessary dedications for the re-aligned Durango Drive (aka Town Center Loop Road) and Deer Springs Way prior to recordation of the Order of Vacation.
3. A 20 foot wide public sewer easement, centered about the main, shall be retained or provided for the existing public sewer currently located in the full length of old Durango Drive and for the proposed sewer per the November 6, 2001 Master Sewer Plan for Montecito Town Center, unless a plan to relocate such sewer is submitted to and approved by the Department of Public Works. Such sewer relocation, if proposed, shall be constructed and operational prior to recordation of the Order of Vacation for this site.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 49 – VAC-1187

CONDITIONS – Continued:

4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
5. The Town Center Development Standards Manual, Map Four A, entitled Town Center Street Classifications, shall be amended to reflect the removal of the subject portions of rights-of-ways.
6. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. The applicant shall save and except the following: an easement to Sprint, over, across, and under the East 10.00 feet of the proposed vacation, together with the reasonable rights of ingress and thereto and egress therefrom.
8. All development shall be in conformance with code requirements and design standards of all City departments.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 49 – VAC-1187

CONDITIONS – Continued:

9. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #6 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
10. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - VAC-1188 - JACK BINION AND PHYLLIS COPE - Petition to vacate a portion of Dorrell Lane located between Riley Street and Durango Drive, a portion of Haley Avenue located between Riley Street and Durango Drive, and a portion of Bonita Vista Avenue located between Dorrell Lane and Haley Avenue, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES - APPROVED subject to conditions – **UNANIMOUS** with **TRUESDELL** abstaining as the applicant on Item 50 is a client of his firm and **NIGRO** and **QUINN** excused

To be heard by the City Council on 1/8/2003.

MINUTES:

CHAIRMAN GALATI declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, said the subject portions of the public rights-of-way on Dorrell Lane, Haley Avenue, Bonita Vista Avenue and Riley Street are currently not used for access to any occupied parcels and will be incorporated in the future development of the Montecito Town Center. Staff recommended approval subject to the conditions.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 50 – VAC-1188

MINUTES – Continued:

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared with MATT WARNER in order to represent the applicant. ATTORNEY FIORENTINO said these are Vacations that were contemplated by the development agreement for Montecito. He concurred with staff's conditions.

No one appeared in opposition.

There was no further discussion.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item 48 [VAC-1185] and Item 49 [VAC-1187] for further discussion.

(12:07 – 12:12)

4-3000

CONDITIONS:

1. This Petition of Vacation shall be modified to retain a minimum 20 foot wide Public Sewer Easement in Haley Avenue and Dorrell Lane to service parcels east of the future loop road, unless an alternative sewer access plan is submitted to and approved by the City Engineer prior to recordation of an Order of Vacation.
2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
3. Provide all necessary dedications for the re-aligned Durango Drive (aka Town Center Loop Road) and Deer Springs Way prior to recordation of the Order of Vacation.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002

Planning & Development Department

Item 50 – VAC-1188

CONDITIONS – Continued:

4. Legal access to all established and/or proposed parcels, adjacent to the vacated area, must be provided or maintained. The Order of Vacation shall not record until all parcel access issues have been resolved.
5. The Town Center Development Standards Manual, Map Four A, entitled Town Center Street Classifications, shall be amended to reflect the removal of the subject portions of rights-of-ways.
6. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
8. All development shall be in conformance with code requirements and design standards of all City departments.
9. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #6 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
10. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-1135 - BUREAU OF LAND MANAGEMENT ON BEHALF OF CLARK COUNTY SCHOOL DISTRICT - Request for a Site Development Plan Review FOR A PROPOSED ELEMENTARY SCHOOL on 15.26 gross acres adjacent to the southwest corner of Fort Apache Road and the Iron Mountain Road alignment (portion of APN: 125-07-501-002), R-E (Residence Estates) Zone and C-2 (General Commercial) Zone under Resolution of Intent to C-V (Civic) Zone, Ward 6 (Mack).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL - APPROVED subject to conditions with Condition 11 amended to require 70 feet of right-of-way for Fort Apache Road – **UNANIMOUS** with NIGRO and QUINN excused

This is final action.

MINUTES:

GARY LEOBOLD, Planning and Development, stated access to this William and Mary Scherkenbach Elementary School is via one non-gated entrance to Iron Mountain Road and a bus drop-off on Tee Pee Lane. Outdoor facilities consist of two baseball fields, basketball courts and a play area to the east of the school. An identical elementary school was approved on the southern portion of this site. The site plan depicts an orderly layout and demonstrates a design that will complement the residential character of the area. A condition is recommended to install a vinyl coated chain link fence along all property lines. If a block wall is constructed at a later

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 51 – SDR-1135

MINUTES – Continued:

time, it should be a six foot high decorative block wall with at least 20% contrasting materials along the side and rear property lines. That is a similar condition that was approved for the elementary school to the south. A landscape plan indicates tree plantings approximately 40 feet on center along Iron Mountain Road and Tee Pee Lane. No shrubs are depicted on the landscape plan. A condition is recommended that tree plantings be provided 30 feet on center along Iron Mountain Road and Tee Pee Lane. The submitted elevations for the elementary school are architecturally compatible with the approved elementary school located to the south and the construction materials would be appropriate for the subject location, as well as the surrounding area. Condition 11 should be revised to require 70 feet of right-of-way for Fort Apache Road instead of 40 feet as noted to make up the 100-foot right-of-way in keeping with the site to the south. Staff recommended approval subject to the conditions.

MATT LaCROIX, Clark County School District, 4212 Eucalyptus Street, said he concurred with staff's conditions.

There was no further discussion.

(12:12 – 12:14)
4-3200

CONDITIONS:

Planning and Development

A) Project Conditions:

1. Install a vinyl coated chain link fence along all property lines. If a block wall is constructed at a later time, it shall be a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the side and rear property lines. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
2. Revise the landscape plan to indicate tree plantings at thirty feet on center along Iron Mountain Road and Tee Pee Lane and provide appropriate shrubs and groundcover that conform to the City of Las Vegas Urban Design Guidelines and Standards.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
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CONDITIONS – Continued:

B) Standard Conditions:

3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
5. A revised landscaping plan must be submitted prior to or at the same time application is made for a building permit.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
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CONDITIONS – Continued:

Public Works

C) Project Conditions:

11. Dedicate or obtain dedication or easement rights for 40 feet of right-of-way for Fort Apache Road adjacent to this overall site, 40 feet for Iron Mountain Road, and 30 feet for Teepee Lane prior to the issuance of any building permits for this site. In addition, dedicate or obtain dedication or easement rights for additional rights-of-way in accordance with Standard Drawings #201.1, 234.1 and 234.2, and all appropriate intersection corner radii. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.
12. Construct half-street improvements including appropriate overpaving if legally able on Fort Apache Road, Iron Mountain Road, and Tee Pee Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
13. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine appropriate public sewer alignments. Extend public sewer in Iron Mountain Road to Tee Pee Lane to a depth and location acceptable to the City Engineer concurrent with development of this site.

D) Standard Conditions:

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
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CONDITIONS – Continued:

15. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-1159 - REK INVESTMENTS LIMITED LIABILITY COMPANY ON BEHALF OF FIRST AMERICAN EQUITIES - Request for a Site Development Plan Review FOR A PROPOSED 5,400 SQUARE FOOT RETAIL STORE (AUTO ZONE) on a portion of 1.83 acres adjacent to the east side of Durango Drive approximately 650 feet north of Cheyenne Avenue (APN: portion of 138-09-401-018), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 4 (Brown).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL - APPROVED subject to conditions – UNANIMOUS with NIGRO and QUINN excused

This is final action.

MINUTES:

GARY LEOBOLD, Planning and Development, stated this Site Development Plan Review is only for the portion involving the Auto Zone store, which is located at the north end of the site. Twenty-six spaces are indicated on the Auto Zone portion. The applicant must submit a revised site plan indicating provision of the required 31 parking spaces and adequate handicapped parking. The site plan provides a location for the trash enclosure. However, the trash enclosure must meet Title 19 standards which require it to be located a minimum of 50 feet from a

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 52 – SDR-1159

MINUTES – Continued:

residential property line, including multi-family to the east of this site, and be properly enclosed. A landscape plan indicates proper landscape planter widths around the perimeter of the site. Tree spacing along Durango Drive is indicated at 40 feet on center whereas 20 feet on center is the minimum required. A condition is recommended to comply with the Urban Design Guidelines and Standards in regard to tree spacing, quantity, shrubs and ground cover. Mondale Pines are recommended to be planted 15 feet on center adjacent to the loading zone area in order to provide adequate screening. The building elevations indicate design and materials typical of an Auto Zone store and are consistent with City standards. Staff recommended approval subject to the conditions.

HAROLD FOSTER, 3230 Polaris Avenue, appeared on behalf of the applicant. They plan to conform to all the requirements that are recommended by staff.

(12:14 – 12:17)

4-3360

CONDITIONS:

Planning and Development

A) Project Conditions:

1. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit to reflect the required 31 parking spaces for Auto Zone and two handicap parking and stripping in accordance with Title 19.10.010.G standards; locate the trash enclosure a minimum of fifty feet from a residential property line (including multi-family) and to be properly enclosed and screened per Title 19.08.045.
2. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect all trees, shrubs and groundcover along the perimeter of the site and in the parking area to be in accordance with the planting and spacing (twenty feet on center) requirements of the Las Vegas Urban Guidelines and Standards; and provide minimum ten foot tall Mondale Pines planted fifteen feet on center adjacent to the loading zone area, adjacent to residential.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 52 – SDR-1159

CONDITIONS – Continued:

3. The dumpster enclosure shall have six-foot tall walls, finished in the same manner as the main structure with a roof and solid metal gates as required by Title 19.08.045.
- B) Standard Conditions:
 4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
 5. All development shall be in conformance with the site plan, landscape plan and building elevations, except as amended by conditions herein.
 6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
 7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
 8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
 9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
 10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
 11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 52 – SDR-1159

CONDITIONS – Continued:

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

C) Project Conditions:

14. Construct all incomplete half-street improvements on Durango Drive adjacent to this site concurrent with development of this site.

D) Standard Conditions:

15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. Provide an update to the previously approved Traffic Impact Analysis or submit to the City of Las Vegas a new Traffic Impact Analysis to be approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 52 – SDR-1159

CONDITIONS – Continued:

by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

17. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-1166 - SAMSON EQUITIES - Request for a Site Development Plan Review and a Reduction of the On-Site Perimeter Landscape Requirements FOR A 6,325 SQUARE-FOOT FAST FOOD RESTAURANT (FOOD COURT) on 0.85 acres adjacent to the south side of Charleston Boulevard, approximately 550 feet west of Torrey Pines Drive (APN:163-02-114-010), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

EVANS – ABEYANCE to the 12/19/2002 Planning Commission meeting – UNANIMOUS with NIGRO and QUINN excused

This is final action.

MINUTES:

GARY LEOBOLD, Planning and Development, stated this rectangular shaped site will be accessed by an adjacent parcel to the east, which has direct access to Charleston Boulevard. The site plan presents an elongated and narrow site for development with a rectangular shaped building situated toward the north end. A drive-through lane is located on the east side of the building set back 10 feet. A condition is recommended to eliminate the drive-through lane and window due to potential vehicular conflicts with traffic flow in the adjacent parcel and in the parking area. The trash enclosure must meet Title 19 standards which requires it to be located a minimum of 50 feet from a residential property line, including multi-family, and that it be

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 53 – SDR-1166

MINUTES – Continued:

properly enclosed. Also, a loading zone must be provided per Title 19. The applicant's justification to reduce the perimeter landscape planter to 10 feet along the north property line is to align this landscape planter with the existing planter to the east. This partial reduction is appropriate. However, it is noted that the landscape plans should be revised to provide 24-inch box trees along Charleston Boulevard instead of one-gallon shrubs. A condition is recommended that all trees, shrubs and ground cover shall be in accordance with the planting and spacing requirements of the Las Vegas Urban Design Guidelines and Standards. There is also a condition to revise the building elevations with additional architectural features to enhance façade articulation. Staff recommended approval subject to the conditions.

JOHN TUCKER, Jet Development, 800 North Rainbow Boulevard, and ROBERT FELDMAN, Samson Equities, 800 North Rainbow Boulevard, appeared in order to represent the application. MR. TUCKER said this is a food court similar to one in a shopping center, except it is in a stand-alone building. This is within walking distance of the Charleston Boulevard campus of Community College. Many fast food operations have a drive-through window. Staff has not seen the site plan.

CHAIRMAN GALATI felt this application should be held in abeyance to enable everyone involved to review it.

MARGO WHEELER, Planning and Development, announced this item would be placed toward the beginning of the 12/19/2002 Planning Commission meeting agenda.

(12:17 – 12:23)

4-3550

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SDR-1171 - PLUMBERS AND PIPEFITTERS LOCAL UNION 525 APPRENTICE AND JOURNEYMAN TRAINING TRUST OF SOUTHERN NEVADA - Request for a Site Development Plan Review and a Reduction of the On-Site Landscape Requirements FOR A 32,580 SQUARE FOOT TRAINING FACILITY on 5.10 acres adjacent to the southeast corner of Harris Avenue and Legion Way (APN: 140-30-803-001 and 003), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese).

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

TRUESDELL - APPROVED subject to conditions with a revised Condition 3 to require a Reversionary Map and to instead allow the Assessor's Administrative Process to be used and additional Condition 1 as follows:

1. *The applicant shall add more trees to the planter area located on the west side of the building to be spaced twenty feet on center, and shall place landscaping that meets perimeter landscaping standards the full length of the site along Legion Way, in exchange for dropping the perimeter landscaping along the south edge of the site; and*
3. *An administrative joining of the two parcels must be executed prior to the issuance of a building permit -*

UNANIMOUS with NIGRO and QUINN excused

This is final action.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 54 – SDR-1171

MINUTES:

GARY LEOBOLD, Planning and Development, stated the Plumbers and Pipefitters Union is proposing to build a trade school located at the southeast corner of Legion Way and Harris Avenue and adjacent to the existing union hall on the east side of the site. It will be a two-story, 32,580 square foot, concrete tilt-up building, that includes some architectural features. The structure is set back from the residential properties to the west and north of this site. Staff recommended subject to the conditions.

CARON RICHARDSON, 815 Pilot Road, and PHIL CAMPBELL, union representative, appeared on behalf of the application. There are two parcels. They are required to have a Reversionary Map recorded prior to the issuance of the building permit. She asked if that map could be filed through the Assessor's administrative process without recording the Reversionary Map because they are behind schedule. DAVID CLAPSADDLE, Planning and Development, agreed to work with the applicant on that matter.

MS. RICHARDSON said there is a standard Condition 6, which refers to a comprehensive address plan. She thought the address would be assigned through the building permit process. MR. CLAPSADDLE said the address could be figured out with staff.

MS. RICHARDSON added that they prefer not to put in landscaping along the existing union buildings, but along the line that will be created at the end of the parking for the proposed development and up against the future development. There will be abundant landscaping.

There was no further discussion.

(12:23 – 12:33)
4-3980

CONDITIONS:

Planning and Development

A) Project Conditions:

1. The applicant shall add more trees to the planter area located on the west side of the building to be spaced twenty feet on center.
2. An administrative review will be required for the proposed future expansion.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 54 – SDR-1171

CONDITIONS – Continued:

3. A Reversionary Map must be recorded prior to the issuance of a building permit.
- B) Standard Conditions:
 4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
 5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
 6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
 7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

Public Works

- C) Project Conditions:
 8. Construct half-street improvements including appropriate overpaving on Harris Avenue and Leigon Way adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
- D) Standard Conditions
 9. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF DECEMBER 5, 2002
Planning & Development Department
Item 54 – SDR-1171

CONDITIONS – Continued:

10. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.
11. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - ABEYANCE - DIR-1152 - CITY OF LAS VEGAS - Discussion and possible action for the Planning Commission to elect two members to serve on the City of Las Vegas Entertainment District Development Review Committee.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUEDELL – APPROVED GALATI and QUINN as members – UNANIMOUS with NIGRO and QUINN excused

This is final action.

MINUTES:

CHAIRMAN GALATI announced that COMMISSIONER QUINN has expressed an interest in being on this committee and he would also like to be a member.

TOM McGOWAN, Las Vegas resident, thought the correct title of the committee is City of Las Vegas Downtown Entertainment Overlay District Design Review Committee. He wondered what expertise the members will have in regard to food, beverage and professional entertainment, design and décor.

(12:33 – 12:34)

5-400

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

PUBLIC HEARING - TXT-1215 - CITY OF LAS VEGAS - Discussion and possible action to amend Title 19 to amend definitions, standards and requirements for Rescue Missions or Shelters for the Homeless.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends this item be STRICKEN

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

TRUEDELL - STRICKEN – UNANIMOUS with NIGRO and QUINN excused

This is final action.

MINUTES:

There was no discussion.

(12:34)

5-410



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: DECEMBER 5, 2002

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

TOM McGOWAN, Las Vegas resident, appeared to express his appreciation for the efforts of the CHAIRMAN GALATI and VICE CHAIRMAN TRUESDELL. He offered his approval of the newly-elected CHAIRMAN TRUESDELL and VICE CHAIRMAN QUINN. He outlined his proposal for the entertainment district.

TODD FARLOW, 240 North 19th Street, spoke about the architectural exhibit at Neonopolis. There is an article in a newspaper written by an architect at the University of Southern Nevada. The article speaks to the side yard setbacks. In addition, he felt people who do not get permits to build sheds will jeopardize the ISO1 fire rating of the Fire Department. That rating decreases the homeowners fire insurance premiums.

MEETING ADJOURNED AT 12:43 A.M.

Respectfully submitted:

ANGELA CROLLI, DEPUTY CITY CLERK

LINDA OWENS, DEPUTY CITY CLERK